

ORDINANCE NO. F-0848

AN ORDINANCE AMENDING THE TEXT OF THE WHEATON CITY CODE-
CHAPTER 58, ARTICLE II, SECTION 74
SIDEWALKS REQUIRED; CONSTRUCTION STANDARDS

WHEREAS, the City of Wheaton, Illinois (“City”) is an Illinois home rule municipality pursuant to provisions of Article VII, Section 6, of the Illinois Constitution, 1970, and, as such, the City may exercise any power or perform any function pertaining to its government and affairs; and

WHEREAS, the subject matter of this ordinance pertains to the government and affairs of the City and its residents; and

WHEREAS, it is desirable to safeguard the health and safety of the citizens of the City to require the construction of sidewalks where appropriate; and

WHEREAS, the City is in the process of developing a Sidewalk Master Plan; and

WHEREAS, as development occurs prior to the completion and adoption of the Sidewalk Master Plan, it is appropriate for the City Engineer to determine for a specific development whether new sidewalks shall be constructed or payment in lieu of shall be required.

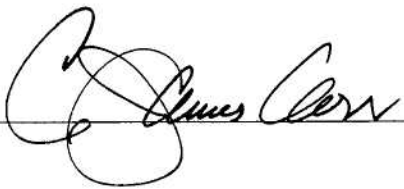
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton City Code text is amended by deleting and repealing Chapter 58, Article II, Section 74(a), *Sidewalks required; construction standards* in its entirety and replacing it with a new Section 74(a) as follows:


“(a) Sidewalks required. Sidewalks shall be constructed according to the provisions of subsection (b) of this section whenever a building permit for new construction, subdivision or zoning change is requested by an applicant. If in the opinion of the city engineer a sidewalk is not appropriate, the applicant shall donate one hundred (100) percent of the cost of the sidewalk construction, as determined by the city engineer, for the express purpose of constructing sidewalks at locations determined by the city engineer.”

Section 2: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall become effective from and after its passage, approval and publication in pamphlet form in a manner prescribed by law.

Mayor 

Attested by:


City Clerk

Ayes:

Roll Call Vote:
Councilman Mouhelis
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Pro Tem Mork
Councilwoman Johnson

Nays:

None

Absent:

Mayor Carr

Motion Carried Unanimously

Passed: October 20, 2003
Published: October 21, 2003