

ORDINANCE NO. F-1512

AN ORDINANCE AMENDING CHAPTER 42-30 (LOUD MUSIC OR NOISES) OF THE WHEATON CITY CODE

WHEREAS, the City of Wheaton, as an Illinois home rule municipality having the legal authority to adopt those Ordinances which are not in conflict with State law and which the corporate authorities of the City of Wheaton deem in the best interest of the public health, safety, and welfare; and

WHEREAS, the Mayor and City Council of the City of Wheaton deem it necessary and appropriate in the interest of the public health, safety, and welfare to amend the City Code regulations relating to loud music and noises.

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

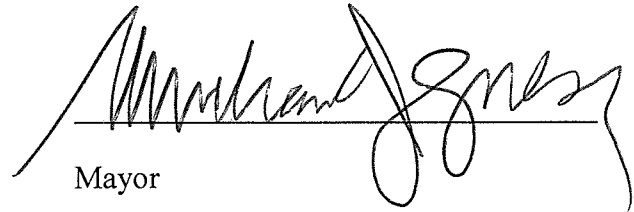
Section 1: That Chapter 42-30. (Loud Music or Noises) of the Wheaton City Code, is hereby amended by the addition of a new Sub-Section (c) (1-5), which shall read as follows:

"(c) Exemptions. The following uses and activities shall be exempt from the noise level regulations:

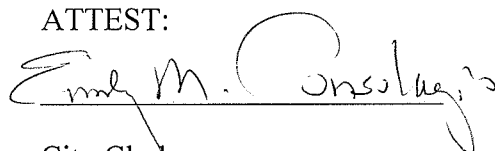
1. Between the hours of 7:00 a.m. and sunset, noises customarily resulting from construction work and from the maintenance of grounds.
2. The noises of safety signals, burglar alarms, emergency valves, warning devices, aircraft and railroads, emergency generators, snow plowing, mosquito abatement, and emergency equipment used only during times of public emergency such as flooding, tornadoes, or other natural causes.
3. Church bells, chimes, and carillons.
4. The normal and intended use of recreational facilities within property of schools, colleges, and public parks; between the hours of 9:00 a.m. and 10:00 p.m.
5. Outdoor musical performances on any property within the City when approved by the City Council at least fourteen (14) days in advance of the performance. The City Council may place time limitations upon the approval."

Section 2: If any part of part or portion of this Ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this Ordinance.

Section 3: This Ordinance shall become effective immediately after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:


City Clerk

Roll Call Vote:

Ayes: Councilman Suess
Councilwoman Corry
Councilman Levine
Councilman Mouhelis
Mayor Gresk
Councilman Prendiville
Councilman Scalzo

Nays: None

Absent: None

Motion Carried Unanimously

Passed: September 20, 2010
Published: September 21, 2010