

**ORDINANCE NO. F-1533**

**AN ORDINANCE ADDING HAIR STYLISTS AS A PERMITTED USE IN THE C-2 ZONING DISTRICT FOR EXISTING BUSINESSES THAT ARE RELOCATING WITHIN THE DISTRICT**

**WHEREAS**, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the public health, safety, durability, morals and general welfare of the citizens of the City to amend the City Zoning Ordinance, Article 17.2, adding Hair Stylists as a permitted use in the C-2 Zoning District for existing businesses that are relocating within the district.

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board, acting as a hearing body on December 14, 2010 to consider said amendment.

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

**Section 1:** The Wheaton Zoning Ordinance text is amended by deleting Article 17.2 in its entirety and replacing it with the following:

17.2 Permitted Uses

Antique sales  
Appliance Stores  
Art gallery  
Art supplies  
Arts and crafts shops  
Automatic teller machines  
Bakery, retail  
Bath, bed, and kitchen shops  
Bicycle sales and repair  
Book, magazine and newspaper stores  
Candy and popcorn stores  
Carpet and tile sales  
Carry-out restaurants  
China and glassware stores  
Clothing and apparel stores  
Coin and stamp stores  
Convenience food stores  
Cookware stores  
Cosmetics sales  
Curtain and drapery stores  
Delicatessens  
Dentists  
Department stores  
Dog grooming  
Drug Stores  
Engraving services

Fabrics, sewing supplies, and sewing machine stores  
Fast food restaurants without drive through facilities  
Florists  
Furniture stores  
Gift and card stores  
Gourmet foods  
Grocery stores  
Hair Stylists\*  
Hardware stores  
Hobby shops  
Ice cream parlors  
Interior decorators  
Jewelry stores  
Leather goods and luggage stores  
Meat markets  
Movie theaters  
Museums  
Musical instrument sales and service  
Office supplies, business machine sales, and computer sales  
Opticians and optometrists  
Paint, glass, and wallpaper stores  
Performing Arts Theaters  
Pet shops  
Picture framing  
Photographic studios  
Photographic supplies and cameras  
Post office and parcel services  
Printing, copying, and blueprint services, retail  
Record, tape, and video tape sales and rental  
Restaurants  
Shoe repair shops  
Shoe stores  
Sporting goods stores  
Tailors and dressmakers  
Tea rooms  
Tobacco and pipe shops  
Toy stores  
Variety stores

\*Hair Stylists that have existed in the C-2 Zoning District since January 3, 2011 shall be permitted to relocate within the C-2 Zoning District but no new Hair Stylists are permitted.

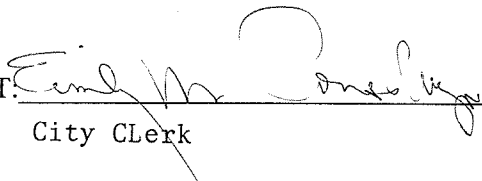
Other uses which are of the same general character as the above permitted uses, as determined by the Director of Planning & Economic Development, but specifically excluding those uses which are first permitted in the C-3 and C-4 zoning districts.

**Section 2:** This ordinance shall be cumulative of all provisions of the ordinances of the City of Wheaton, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**Section 3:** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4:** This ordinance shall become effective from and 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: January 3, 2011  
Published: January 4, 2011

