

**ORDINANCE NO. F-1537**

**AN ORDINANCE ESTABLISHING REGULATIONS REGARDING COMMERCIAL  
VEHICLE SIGNAGE IN THE CITY OF WHEATON**

**WHEREAS**, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the public health, safety, morals and general welfare of the citizens of the City to amend the City Zoning Ordinance, Article 23.3.9, pertaining to commercial vehicle signage; and

**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:

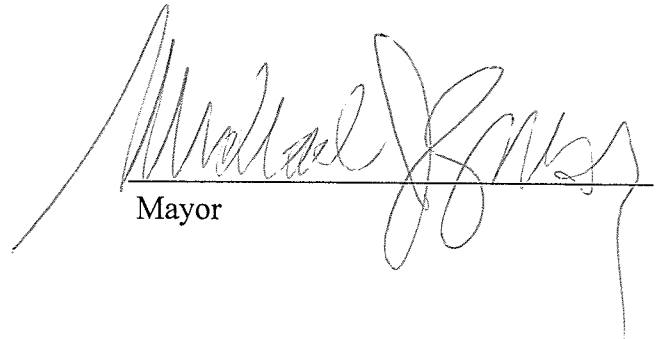
**Section 1:** The Wheaton Zoning Ordinance text is amended by deleting Article 23.4.1 in its entirety and replacing it with the following:

“Except for the allowance provided under Article 24.7.1, it shall be prohibited for any vehicle or trailer which is either: (i) parked on private property (“subject property”) and visible from the public right of way, or (ii) parked on the public right of way adjacent to the subject property, to contain any advertising, lettering, graphics, or any other writing or illustration that advertises products or services that are provided by a business on the subject property. Provided, however, during regular business hours, any vehicle or trailer that is necessary for the operation of the business on the subject property and which contains the advertising, may be parked in the public right of way adjacent to the subject property, or on the subject property. Provided further, however, if the vehicle or trailer is located on the subject property, it shall be parked within a standard marked or striped parking space and be licensed, insured and operable.”

**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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

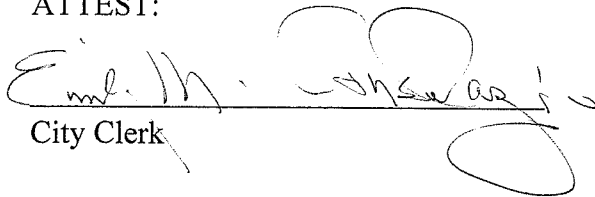
**Section 3:** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment 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

Ayes:                   Roll Call Vote  
                              Councilman Suess  
                              Councilwoman Corry  
                              Councilman Mouhelis  
                              Mayor Gresk  
                              Councilman Prendiville  
                              Councilman Scalzo

Nays:                   None

Absent:                 Councilman Levine

Motion Carried Unanimously

Passed:                 January 18, 2011

Published:             January 19, 2011