

**ORDINANCE NO. F-1541**

**AN ORDINANCE AMENDING CHAPTER 42 (OFFENSES AND MISCELLANEOUS PROVISIONS), ARTICLE I (IN GENERAL), SECTION 22 (GRAFFITI) OF THE WHEATON CITY CODE**

BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, as follows:

**Section 1:** That Chapter 42 (Offenses and Miscellaneous Provisions), Article I (In General), Section 22 (Graffiti), of the Wheaton City Code 1996, as amended, is hereby further amended by revising subparagraphs (c) and (d) as follows:

**"Sec. 42-22. Graffiti.**


(c) Removal. All exterior structure surfaces shall be kept clean and free of graffiti. Surfaces which have been exposed to graffiti shall be cleaned, painted or in some manner covered so as to effect the complete removal of the graffiti from that surface and return the surface to its prior condition within 10 days of receipt of a violation notice to the owner. It shall be the responsibility of the owner to comply with the provisions of this section.

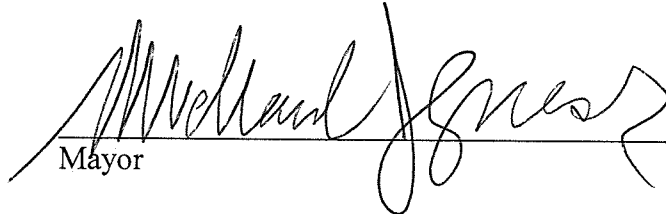
(d) Penalty for violation. Any person violating the provisions of this section shall be subject to a fine of not less than \$200.00 nor more than \$500.00. In addition to such fine, an offender convicted of illegally placing graffiti may be ordered by the court to pay restitution to the property owner for the cost of restoring the property owner's property to its state prior to the application of graffiti, or perform public service work, including but not limited to cleaning up graffiti at the location where such offense was committed."

**Section 2:** That all ordinances or parts of ordinances in conflict with these provisions are repealed.

**Section 3:** That this ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

Ayes:

Roll Call Vote:

Councilman Mouhelis  
Mayor Gresk  
Councilman Prendiville  
Councilman Scalzo  
Councilwoman Corry  
Councilman Levine

Nays: Councilman Sues  
Absent: None

Passed: February 7, 2011  
Published: February 8, 2011