

ORDINANCE NO. F-1555

**AN ORDINANCE AMENDING PORTIONS OF SUBSECTION 10 OF SECTION 23.3
"EXEMPTIONS" OF ARTICLE XXIII "SIGNS" OF THE WHEATON ZONING
ORDINANCE**

WHEREAS, the Illinois Legislature, by the adoption of 65 ILCS 5/11-13-1 has prohibited municipalities, including home rule municipalities, from regulating the amount of time election campaign signs may be displayed; and

WHEREAS, subsection 10 of Section 23.3 "Exemption" of Article XXIII "Signs" of the Wheaton Zoning Ordinance is inconsistent with 65 ILCS 5/11-13-1.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois that :

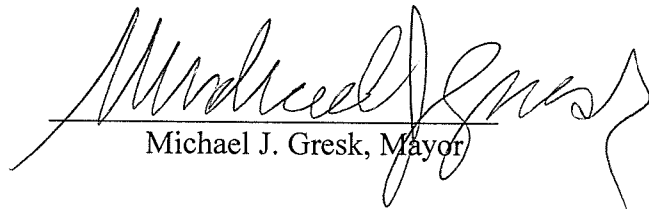
SECTION 1: The sentences of subsection 10, of Section 23.3 "Exemption" of Article XXIII "Signs" of the Wheaton Zoning Ordinance, which read: "Campaign signs shall be removed by a candidate or candidates workers within seven (7) days after an election unless a subsequent election for the same office falls within nine (9) months. Campaign signs shall be removed within seven (7) days of the subsequent election", are hereby repealed and rescinded in their entirety.

SECTION 2: In all other respects Section 23.3, "Exemptions," of Article XXIII "Signs," of the Wheaton Zoning Ordinance are hereby reaffirmed.

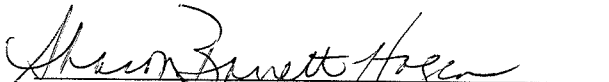
SECTION 3: Any ordinance which is inconsistent with this Ordinance is repealed to the extent of such inconsistency

SECTION 4: If a court of competent jurisdiction sets aside any portion of this Ordinance as unconstitutional or unlawful, it shall not affect the validity of the remainder of the Ordinance.

SECTION 5: This Ordinance shall become effective upon passage, execution by the Mayor and publication as required by law.


Michael J. Gresk, Mayor

ATTEST:


Sharon Barrett-Hagen, City Clerk

Ayes: Roll Call Vote:
Councilman Prendiville
Mayor Gresk
Councilman Rutledge

Councilman Scalzo
Councilwoman Corry
Councilman Mouhelis

Nays: None

Absent: Councilman Suess

Passed: April 18, 2011

Published: April 19, 2011