

ORDINANCE NO. F-1652

AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3738, "AN ORDINANCE PETITIONING FOR A WAIVER IN THE PROVISIONS OF THE COUNTY OF DUPAGE COUNTYWIDE STORMWATER AND FLOODPLAIN ORDINANCE AND ADOPTING VARIOUS PROVISIONS OF THAT ORDINANCE TO TAKE EFFECT AT THE TIME THAT STORMWATER MANAGEMENT COMMITTEE OF THE DUPAGE COUNTY BOARD ACTS UPON THE WAIVER PETITION", DATED NOVEMBER 18, 1991

WHEREAS, on November 18, 1991, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3738, "AN ORDINANCE PETITIONING FOR A WAIVER IN THE PROVISIONS OF THE COUNTY OF DUPAGE COUNTYWIDE STORMWATER AND FLOODPLAIN ORDINANCE AND ADOPTING VARIOUS PROVISIONS OF THAT ORDINANCE TO TAKE EFFECT AT THE TIME THAT STORMWATER MANAGEMENT COMMITTEE OF THE DUPAGE COUNTY BOARD ACTS UPON THE WAIVER PETITION" ("Original Ordinance"); and

WHEREAS, on August 1, 1994, the City enacted City Ordinance No. E-4012, an ordinance amending the Original Ordinance; and

WHEREAS, on December 16, 1996, the City enacted City Ordinance No. F-0097, an ordinance amending the Original Ordinance; and

WHEREAS, on February 2, 1998, the City enacted City Ordinance No. F-0214, an ordinance amending the Original Ordinance; and

WHEREAS, on September 7, 1999, the City enacted City Ordinance No. F-0387, an ordinance amending the Original Ordinance; and

WHEREAS, on July 21, 2003, the City enacted City Ordinance No. F-0829, an ordinance amending the Original Ordinance; and

WHEREAS, on April 18, 2005, the City enacted City Ordinance No. F-1028, an ordinance amending the Original Ordinance; and

WHEREAS, on June 5, 2006, the City enacted City Ordinance No. F-1177, an ordinance amending the Original Ordinance; and

WHEREAS, on October 6, 2008, the City enacted City Ordinance No. F-1380, an ordinance amending the Original Ordinance; and

WHEREAS, the corporate authority of the County has adopted an amendment to the DuPage County Countywide Stormwater and Floodplain Ordinance (County Stormwater Ordinance) on April 24, 2012, and

WHEREAS, the City is desirous of amending the Original Ordinance in order to adopt the most recently revised County Stormwater Ordinance to maintain its status as a partial waiver Community of the enforcement of the County Stormwater Ordinance.

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

SECTION 1: The Original Ordinance is amended by the adoption of the revised County Stormwater Ordinance dated April 24, 2012, with effective date of April 25, 2012, which is attached hereto and made it part of this ordinance as Appendix A.

SECTION 2: Appendix A of the County Stormwater Ordinance dated April 24, 2012 is hereby amended by repealing and rescinding the definition of "Impervious Area" in its entirety and replacing it with the following wording:

Impervious Area. Land cover that is non-porous including, but not limited to, asphalt or asphalt sealants, concrete, roofing materials except planted rooftops designed to reduce runoff, and gravel surfaces used as roadways or parking lots. Graveled surfaces used for storage of materials may be counted only 60% impervious provided aggregate gradation has a high porosity. Pondered water shall be considered impervious area (at its normal water elevation), but vegetated wetlands or constructed wetland basins shall not be considered impervious area. The impervious area of a development site pre-development is the maximum extent of the impervious surfaces that existed on the development site at the same time in any of the 3 -years pre-dating the date of the application.

SECTION 3: In all other respects, the terms and provisions of the Original Ordinance are ratified and remain in full force and affect.

SECTION 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

SECTION 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ADOPTED this 16th day of July, 2012.



Mayor

ATTEST:


City Clerk

Roll Call Vote

Ayes:	Councilman Mouhelis Councilman Rutledge Mayor Gresk Councilwoman Pacino Sanguinetti Councilman Scalzo Councilman Sues Councilwoman Ives
Nays:	None
Absent:	None

Motion Carried Unanimously

Passed: July 16, 2012
Published: July 17, 2012

APPENDIX "A"

Due to the size of this document, it is not attached. The document may be viewed at http://www.dupageco.org/EDP/Stormwater_Management/1165/, or at the office of the Department of Engineering, City of Wheaton, City Hall, 303 W. Wesley St., Wheaton, IL.