

**ORDINANCE NO. F-1718**

**AN ORDINANCE ADDING KENNELS AS A SPECIAL USE IN THE M-1 ZONING DISTRICT**

WHEREAS, the City of Wheaton, Illinois ("City"), prohibits locations and uses of buildings or structures and uses of land that are incompatible with the type of development planned for specific zoning districts in the City; and

WHEREAS, the intent of M-1 Zoning District is designed to permit certain industrial uses; and

WHEREAS, City of Wheaton, Illinois ("City"), has determined that Kennels are compatible with other industrial uses in the M-1 Zoning District; and

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the public health, safety, morals, comfort, convenience and general welfare of the citizens of the City to amend the City Zoning Ordinance, Article 21.2, adding Kennels as a special use in the M-1 Zoning District; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on May 29, 2013 to consider the text amendment request; and the Planning and Zoning Board has recommended that the request be granted and approved.

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 21.2 in its entirety and replacing it with the following:

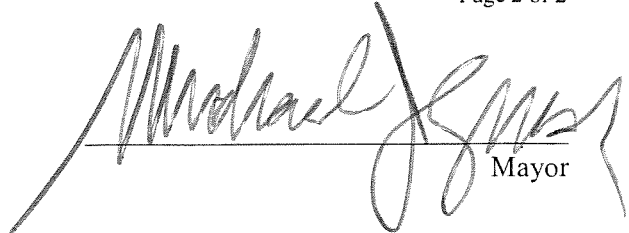
21.2 Special Use Permit Required

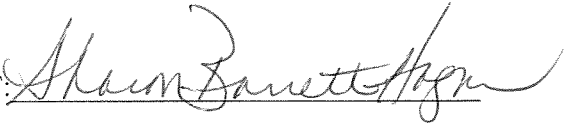
Businesses primarily devoted to Religious Worship  
Kennels

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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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:   
\_\_\_\_\_

Roll Call Vote

Ayes: Councilwoman Pacino Sanguinetti  
Councilman Scalzo  
Councilman Suess  
Councilman Prendiville  
Councilman Rutledge  
Councilman Saline  
Mayor Gresk

Nays: None

Absent: None

Motion Carried Unanimously

Passed: June 17, 2013  
Published: June 18, 2013