

ORDINANCE NO. F-1816

AN ORDINANCE AMENDING WHEATON ZONING ORDINANCE, ARTICLE 23 - SIGNS TO EXPAND WHERE ELECTRONIC MESSAGE BOARD SIGNS MAY BE LOCATED

WHEREAS, the City of Wheaton, Illinois ("City") is an Illinois home-rule municipality pursuant to provisions of Article VII, Section 6, of the Illinois Constitution, and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has the authority to adopt ordinances pertaining to the public health, safety and welfare regulating private and public property; and

WHEREAS, the 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 Wheaton Zoning Ordinance, Article 23 - Signs to expand where Electronic Message Board Signs may be located; 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 September 23, 2014 to consider the text amendment request; and the Planning and Zoning Board has recommended that the request shall 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 23.7.1f(2) in its entirety and replacing it with the following:

- (2) Electronic Message Board Signs shall be allowed only for non-office commercial, government, school, park or church uses; and

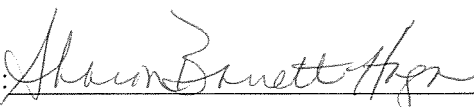
Section 2: This ordinance shall be cumulative of all provisions of the ordinances of the City of Wheaton, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

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: 

Sharon Bennett

Roll Call Vote

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

Nays: Councilman Rutledge

Absent: Councilman Suess

Motion Carried

Passed: October 6, 2014
Published: October 7, 2014