

ORDINANCE NO. O-2019-37

AN ORDINANCE ALLOWING CAT ADOPTION AGENCIES BY SPECIAL USE PERMIT IN THE O-R OFFICE AND RESEARCH DISTRICT

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be appropriate to amend the City Zoning Ordinance to allow Cat Adoption Agencies by Special Use Permit in the O-R Office and Research District; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board, acting as a hearing body on July 23, 2019, to consider said amendment to allow Cat Adoption Agencies by Special Use Permit in the O-R Office and Research District and a definition of a Cat Adoption Agency.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

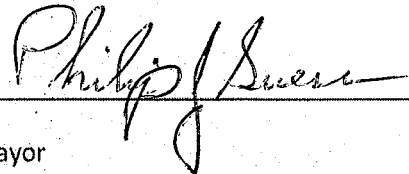
Section 1: The Wheaton Zoning Ordinance text is amended by adding to Article 2, Definitions, a definition of a "Cat Adoption Agency" as: "A limited-admission, public 501(c)(3) non-profit organization, licensed and subject to inspection by the Illinois Department of Agriculture, registered with the Illinois Charity Bureau, and in accordance with the Animal Welfare Act and Humane Animal Care Act, that provides a community service to reduce the overpopulation of cats through the offering of rescue, rehabilitation, rehoming, behavioral assessment/ training, and pet ownership education services (not to include the boarding or veterinary care of the public's cats), by temporarily providing housing for cats in need at the facility, at partnering pet store locations, and in foster homes".

Section 2: The Wheaton Zoning Ordinance text is amended by adding to Article 15.1, O-R Office and Research District, Special Use Permit Required: "Cat Adoption Agency".

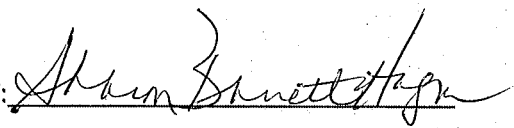
Section 3: This ordinance shall be cumulative of all provisions of the ordinances of the City of Wheaton, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 4: If any phrase, clause, sentence, paragraph or section of this ordinance is 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.

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



Mayor

ATTEST: 

City Clerk

City Clerk

Roll Call Vote:

Ayes: Councilman Barbier
Councilwoman Bray-Parker
Mayor Suess
Councilman Rutledge
Councilman Zaruba

Nays: None

Absent: Councilwoman Fitch

Motion Carried Unanimously

Passed: August 5, 2019
Published: August 6, 2019