

WHEATON CITY COUNCIL PLANNING SESSION
WHEATON CITY HALL - COUNCIL CHAMBERS
303 W WESLEY STREET, WHEATON, ILLINOIS

MONDAY, JANUARY 26, 2026

7:00 p.m.* In-Person & Virtual - Wheaton City Hall Council Chambers

***The City Council Planning Session will commence immediately following the City Council Public Hearing scheduled for 7:00 p.m.**

The meeting will also be live streamed and recorded.

- **Join by computer/smartphone:**

- https://us02web.zoom.us/webinar/register/WN_4ohEw93zQxmflSk_TqhUPQ
- **Please register using the link above.** After registering with your email address, you will receive a confirmation email containing a meeting link for access.
- You will be automatically muted. If you would like to speak, click on the “Raise Hand” button to let the meeting administrator know you would like to speak. When it is your turn to speak, you will receive a notification that the meeting administrator is asking you to press “unmute.” Please announce your name and address before commenting and ensure you are in a quiet place.

- **Join by phone: 312-626-6799, Meeting ID: 844 3608 5900 and Password: 729543**

- You will be automatically muted. If you would like to speak, you need to press *9 to raise your hand and let the meeting administrator know you would like to speak. Once it is your turn to speak, you will receive a notification asking you to press *6 to unmute yourself. Please announce your name and address before commenting and ensure you are in a quiet place.

- **Public comments can be made by:**

- In person at 7:00 p.m. on Monday, January 26, 2026, during the Public Comment portion of the meeting.
- Virtually at 7:00 p.m. on Monday, January 26, 2026, during the Public Comment portion of the meeting.
- Email the City Council at allcouncil@wheaton.il.us before 5:00 p.m. Monday, January 26, 2026.

AGENDA

1. Call To Order

2. Approval Of Minutes

2.I. 12 08 25 Draft PS Minutes

Approval of Planning Session Minutes - December 8, 2025

Documents:

[12 08 25 DRAFT PS MINUTES.PDF](#)

3. Planning Session Discussion Item(S):

3.I. 250th Birthday Mural Wall Proposal

Documents:

[250TH BIRTHDAY MURAL WALL PROPOSAL.PDF](#)

3.II. Group Care Home Ordinance Additions

Documents:

[GROUP CARE HOME ORDINANCE ADDITIONS.PDF](#)

3.III. Draft E-Bike Ordinance

Documents:

[DRAFT E-BIKE ORDINANCE.PDF](#)

4. Public Comment

5. City Council/Staff Comments

6. Adjournment

During the Public Comment portion of the agenda, the presiding officer shall recognize any person requesting to be heard on any of the planning session agenda items only. Persons speaking during Public Comment shall not speak longer than three (3) minutes and shall be permitted to speak only once.

Visitors must remain quiet and not engage in behavior that interferes with the Planning Session. The presiding officer may, or upon a majority vote of the council, request any visitor who violates any provision of this paragraph to leave the council chambers, and such visitor shall thereupon leave.

Any person providing public comment shall address the presiding officer only and shall not proceed with remarks until recognized. When recognized, the person shall state his or her name and address. Cross floor discussions are prohibited. If a member of the City Council has questions of any person who has provided public comment, that person may address the specific question.



WHEATON CITY COUNCIL PLANNING SESSION MINUTES

MAYOR PHILIP J. SUESS

COUNCILWOMAN ERICA BRAY-PARKER | COUNCILWOMAN LEAH BRICE | COUNCILMAN SCOTT BROWN
COUNCILMAN BRADLEY CLOUSING | COUNCILWOMAN LYNN ROBBINS | COUNCILMAN SCOTT WELLER

WHEATON CITY HALL, COUNCIL CHAMBERS, 303 W WESLEY STREET, WHEATON, ILLINOIS 60187

Monday, December 8, 2025

I. Call to Order

The Wheaton City Council Planning Session was called to order at 7:08 p.m. by Mayor Suess following the conclusion of a public hearing. The following were:

Physically Present: Mayor Suess
Councilwoman Bray-Parker
Councilwoman Brice
Councilman Brown
Councilman Clousing
Councilwoman Robbins
Councilman Weller

Absent: None

City Staff Present: Michael G. Dzukan, City Manager
William Kolschowsky, Assistant City Manager
Dawn Didier, City Attorney
Robert Lehnhardt, Director of Finance
Erik Berg, Management Analyst
Halie Cardinal, Public Relations Coordinator

II. Approval of Planning Session Minutes – November 24, 2025

The Council approved the November 24, 2025, Planning Session minutes.

III. Group Care Home Draft Ordinance, Chapter 26/Article VI

City Manager Dzukan provided an overview of the City's group care home (GCH) regulations. Regulations for GCHs were first enacted in 1993 and focus on GCHs that seek a City license and lack a state or federal license. The chief concern of regulations is to ensure the safety of residents of the GCH and neighbors. In developing this ordinance, staff sought expert legal guidance and consulted federal legislation such as the Fair Housing Act and the Americans with Disabilities Act. The proposed ordinance also incorporates research from the State of Illinois on GCH best practices.

City Manager Dzukan then reviewed the draft ordinance. The term "group care home" is meant to encompass multiple terms – halfway houses, transitional housing, recovery homes, etc. – that refer to a residential dwelling serving individuals with specific needs. The City would issue a license for the GCH provided it meets the City's criteria and does not already have a state or federal license. The ordinance includes additional standards for a GCH, including staffing ratios, background checks, financial stability, and clear admission and discharge procedures. A GCH that has a license from a different governmental entity must register with the City for building inspection purposes.

A GCH would pay the nonrefundable application fee, license issuance fee, and annual renewal fees, should the license be approved. Staff would review the application within thirty days of its submittal,

CITY COUNCIL PLANNING SESSION MINUTES

Monday, December 8, 2025

and, if the GCH meets the criteria established by the ordinance, then its license would be approved by the Director of Planning and Economic Development. The term for a license would be one year and must be renewed annually. An applicant has the right to appeal any denial, revocation, or nonrenewal to the City Manager, who would then forward it to the Council for review.

In response to a Council question, City Manager Dzugan stated the ordinance allows the Director of Planning and Economic Development to consult with other relevant staff before making a determination.

City Attorney Didier clarified, in response to a Council question, that the City would give the owner an opportunity to rectify building code or life safety issues before issuing fines to the owner of the GCH.

In response to a Council question, City Attorney Didier stated that a GCH for persons with disabilities that meets the City's definition of "family" – under which four unrelated members can live in a single dwelling unit – would not need to apply for a City license. But, if the number of unrelated occupants exceeds four, then the City can require the GCH to apply for a City license.

City Manager Dzugan stated that staff would review Council and public comments, conduct further research, and present an ordinance to Council at a later meeting.

IV. Public Comment

There was no public comment.

V. City Council/Staff Comments

Councilwoman Bray-Parker reflected on her participation in the Reindeer Run and thanked the Wheaton Park District and the Lions Club for their efforts in hosting the event. Mayor Suess added that this year's Reindeer Run had one of the highest turnouts ever, at 1,380 runners.

VI. Adjournment

The meeting was adjourned at 7:31 p.m.

Respectfully,

Erik Berg

MEMORANDUM

TO: The Honorable Mayor and City Council
FROM: Michael G. Dzugan, City Manager
DATE: January 26, 2026
SUBJECT: 250th Birthday Mural Wall Proposal

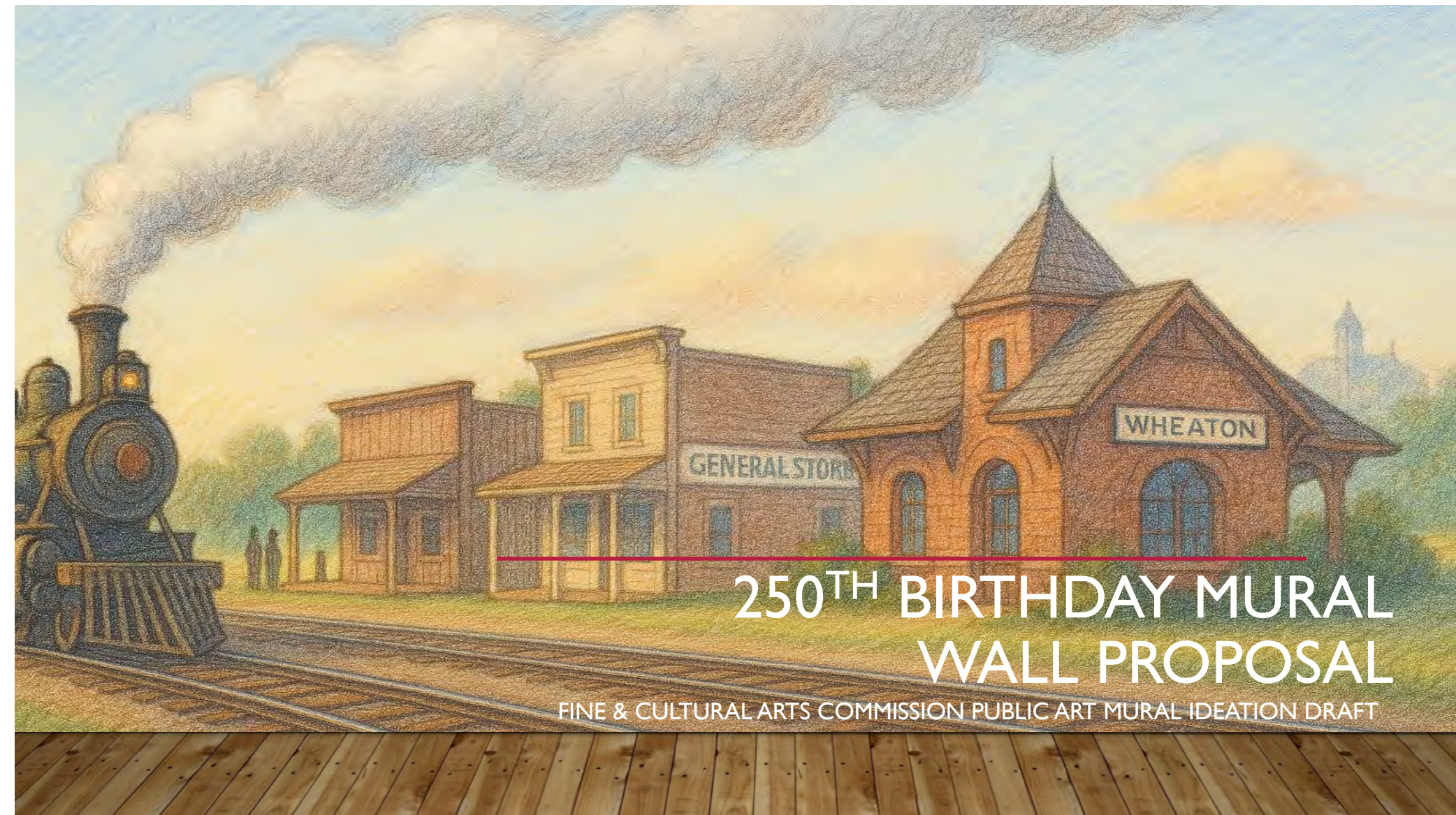
During its review of the Board and Commission Annual Reports, the City Council challenged the boards and commissions to develop programming to commemorate America's 250th birthday in Wheaton. In response, the Fine & Cultural Arts Commission is proposing a mural on the retaining wall north of the pavilion, shown in the red box below.

Commission members will present the proposal at the Planning Session. Given the short timeframe and the need to review the artists' concepts, it would be important for the City Council to provide feedback on whether you wish to move forward with the proposal. The Commission estimates the project budget to be between \$40,000 and \$60,000.

Mural Along Prairie Path Retaining Wall at Pavilion



Attachment



250TH BIRTHDAY MURAL WALL PROPOSAL

FINE & CULTURAL ARTS COMMISSION PUBLIC ART MURAL IDEATION DRAFT

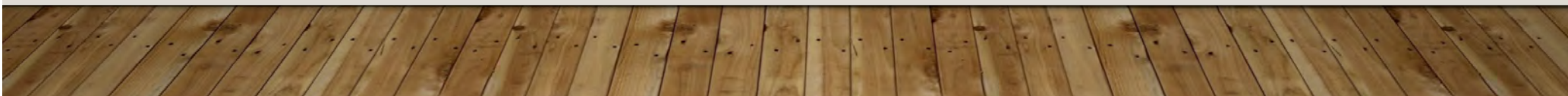
An aerial photograph of a suburban area. A road labeled 'S Main St' runs vertically on the left. A path labeled 'Illinois Prairie Path' runs diagonally from the top left towards the bottom right. A yellow highlight is drawn along a section of the path, indicating the location for a mural wall. The text 'MURAL WALL HISTORY WALK 1776 TO 2026' is overlaid on the left side of the image. A text box on the right contains a bullet point describing the mural project. The background shows a mix of paved areas, grass, and some buildings.

MURAL WALL HISTORY WALK 1776 TO 2026

- We are proposing an historical mural timeline that would run the length of the blank retaining wall beginning adjacent to the Peru Wheaton mural as 1776 and extending to the power box as 2026. Working with Melissa Podkawa from the DuPage County Historical Museum on significant events along the 250-year timeline, we would establish a call for artists and commission a single artist to utilize our guidance for historical imagery to execute on approved drawings to meet our deadline in time for an unveiling and the community-wide celebration. Projected budget range: \$40-60,000 for everything.



180-FOOT SECTION FROM EXISTING MURAL TO POWER BOX



TIMELINE AS A STORYBOARD ACROSS THE SPACE

1776

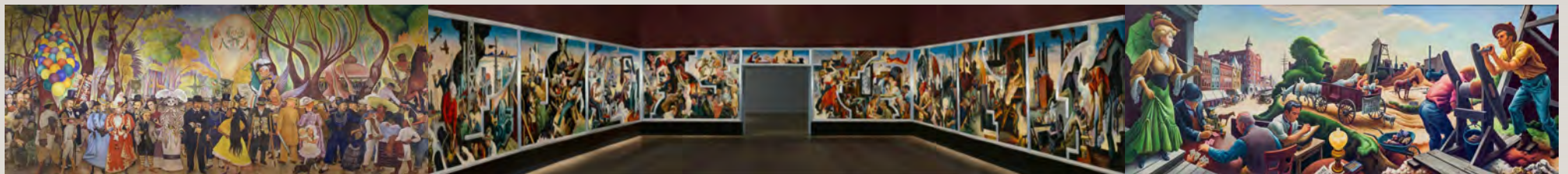
1826

1876

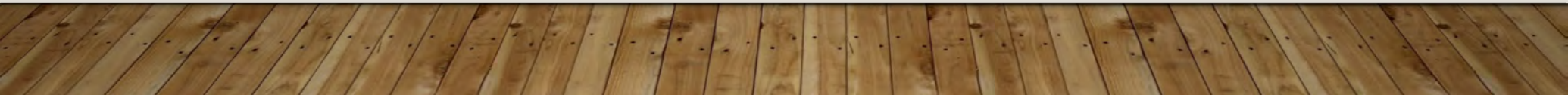
1926

1976

2026



IN THE STYLE OF THOMAS HART BENTON OR SIMILAR AMERICAN REALISM ARTISTS





PANEL I — 1776: “Prairie Origins & Potawatomi Homeland”

Working title: “Where the Land Breathes”

Historical

- There is no Wheaton yet—nor any European settlement.
- The area is part of the homeland of the Potawatomi, with cultural influence from neighboring Illinois Confederation, Ojibwe, and Odawa peoples.
- A rich ecosystem of tallgrass prairie, oak savanna, wetlands, bison trails, and migratory bird routes.
- Bison, elk, wolves, cranes, oak groves—representing what the land looked like before settlement.
- A symbolic “Land Acknowledgment” panel grounded in local geography, not generic imagery.



PANEL 2 — 1826: “Frontier Crossings”

Working title: “First Footprints of Settlement”

Historical

- Still no town, but the first European-American settlers begin moving into the DuPage region.
- Early cabins and claims form near what will become Wheaton, including the Blanchard family (arriving in the early 1830s).
- Roads are wagon tracks; the land is still overwhelmingly wild.
- Small log cabins with smoke rising against the prairie.
- Ox-drawn wagons crossing muddy tracks.
- A symbolic panel showing meeting of cultures between settlers and Native residents.



PANEL 3 — 1876: “The Railway Town Emerges”

Working title: “Tracks of Transformation”

Historical

- Wheaton is incorporated (1859) and booming by 1876.
- The Chicago & Northwestern Railway defines the town center.
- Downtown begins to take its recognizable shape.
- Wheaton College (founded 1860) is rising as an institution.
- Local farms ship milk, grain, and goods by rail. Horse-drawn wagons lined along Front Street.
- Victorian storefronts, hitching posts, and dirt roads.



PANEL 4 — 1926: “Suburban Hopes in the Jazz Age”

Working title: “Main Street Modern”

Historical

- Wheaton is firmly a rail suburb of Chicago, prosperous and growing.
- Brick streets and modern storefronts appear downtown.
- Cars replace horses; Prohibition is in full swing.
- The DuPage County Courthouse (1896) is a civic landmark.
- Neighborhoods like the Chicago Golf area and College Avenue districts expand. Model T Fords parked in front of classic Wheaton storefronts.
- Flapper-era fashion walking along Main Street.
- The courthouse, historic churches, and early suburban homes.



PANEL 5 — 1976: “Bicentennial Wheaton

Working title: “Stars, Stripes & Suburbia”

Historical

- Explosive post-war suburban growth has fully reshaped Wheaton.
- Malls, parks, schools, and subdivisions define the landscape.
- 1976 celebrations include flags, parades, and Bicentennial badges.
- Cosley Zoo opens (1974).
- Families flock to the Wheaton Park District programs that remain community staples today.
- Bicentennial parade scenes on Main or Front Street.
- Red-white-blue bunting on downtown buildings.

PANEL 6 — 2026: “A Community Looking Forward”

Working title: “The Next 250”

Historical



- Wheaton is now a vibrant, diverse, highly educated suburb with a focus on:
- Downtown revitalization
- Trail systems & prairie restoration
- Inclusive community programming
- Arts festivals, community concerts, children’s art, multicultural festivals.
- A sense of welcome, belonging, creativity, civic pride.
- Possibly a “future Wheaton” vignette representing the next 250 years.

MEMORANDUM

TO: The Honorable Mayor and City Council
FROM: Michael G. Dzugan, City Manager
DATE: January 26, 2026
SUBJECT: **Group Care Home Ordinance Additions**

At the December 8, 2025 Planning Session, the City Council reviewed a draft ordinance that would replace Article VI, "Group Care Home," of Chapter 26 and amend the current provisions for licensing Group Care Homes.

Based on feedback from the City Council and the public, staff revised the December 8 draft, as reflected in the attached version. Following the Planning Session review, staff will place the ordinance on a future City Council agenda for a first reading. Staff will also continue to review and refine the draft provisions.

Attachment



WHEATON MAYOR PHILIP J. SUESS

CITY MANAGER MICHAEL DZUGAN

CITY COUNCIL: ERICA BRAY-PARKER | LEAH BRICE | SCOTT BROWN | BRADLEY CLOUSING | LYNN ROBBINS | SCOTT WELLER

Section 26-165. Legislative findings.

It is hereby found that to protect the residents of group care homes from operators who engage in abuse, neglect, mistreatment, fraud, and/or inadequate supervision of vulnerable populations as well as to protect the neighboring community from operators who fail to provide the supportive, residential family-like living environment, which is an essential core characteristic of group care homes and constitutes a legitimate government interest warranting certain appropriate city review, it is necessary to establish and require a group care home license for congregate residential living arrangements for which no license is available from a federal, state or county agency.

Section 26-166. Definitions.

The following words, terms and phrase when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

Group Care Homes: A Single Family or Multi Family Residential dwellings unit(s) as defined in the Wheaton Zoning Ordinance for congregate living for individuals with specific needs, including the elderly, persons with disabilities, those recovering from substance use disorder, or other vulnerable populations wherein the individuals are provided housing, transportation ~~and/or~~ support services (whether provided on or off site). The number of residents of a group care home shall meet the definition of a “family”, except as otherwise provided in this article, as set forth in the Wheaton zoning ordinance. Notwithstanding, group care homes for Persons with Disabilities may have up to twelve (12) residents, including live-in staff. Group Care Homes do not include pre-release, work-release, probationary or other programs that serve as an alternative to incarceration.

Director: Director of Planning & Economic Development for the City of Wheaton.

Person with Disability: Individual with a physical or mental impairment that substantially limits one or more of the individual’s major life activities, impairs an individual’s ability to live independently, having a record of such impairment, or being regarded as having such an impairment as defined in the Federal Fair Housing Act and Americans with Disabilities Act. Individuals with disabilities do not include individuals who are currently using alcohol. Illegal drugs, or using legal drugs to which they are addicted, nor individuals who constitute a direct threat to the health and safety of others.

Sec. 26-167. License required.

(a) It shall be unlawful for any person or entity to conduct, keep, manage or operate a group care home without:

- (1) A valid provisional or permanent license or certification available from or required by an appropriate state, county, or federal agency or entity;
- (2) A charter from an entity recognized or sanctioned by Congress to establish a self-governing group care home democratically operated by its residents; or
- (3) When neither (1) nor (2) is available or offered, a city license issued under section 26– 170 of this code.

(b) A group care home for ~~p~~Persons with ~~d~~Disabilities that complies with the definition of family in the Wheaton Zoning Ordinance is not required to obtain a city license under this section.

(c) The operator of a group care home must annually provide proof of licensure or charter as required in section 26– 167(a)(1) and (2) to be exempt from section 26–167(a)(3).

(d) Notice shall be given to the city within 5 business days of denial or revocation of a license or charter specified in Sec. 26–167(a)(1) and (2). Such denial or revocation shall constitute noncompliance with this article, and the operator must safely return residents to their families or relocate them to a safe and secure living environment as required by state law or within 30 days if state law is silent.

(e) Any group care home which has a license as set forth in subsection (a)(1) above or a charter as described in subsection (a)(2) above shall be required to register with the Director prior to operating in the city. Any such group care home shall provide a copy of its license or charter to the city.

Sec. 26-168. Standards for Group Care Homes.

To ensure group care homes operate safely, ethically, and in compliance with local, state, and/or federal regulations, the following standards shall be met:

Safety & Building Standards for all group care homes

- ~~Must have an inspection by City staff prior to operating the group care home and annual inspections thereafter to ensure compliance-~~ with all legally applicable local building codes, fire/life safety codes, zoning ordinance and health regulations.
- ~~Must have an inspection by City staff prior to operating the group care home and annual inspections thereafter-~~

Standards for group care homes seeking a City license

Staffing & Training

- Staff must undergo background checks, including criminal and abuse history screening.
- All employees must receive training on:
 - Emergency procedures and first aid.
 - Resident rights and privacy laws (HIPAA).
 - Proper care techniques relevant to the residents' needs.
 - Conflict resolution and crisis intervention.
- Maintain appropriate staff-to-resident ratios based on the level of care required.

Resident Care & Services

- Homes must provide a clean, safe, and habitable living environment.
- Resident access to medical care, including emergency services.
- Written policies for resident intake, assessment, and discharge.

Rights & Responsibilities of Residents

- Grievance procedures to address complaints or concerns with effective protections against retaliation for reporting a grievance, complaint, or concern.
- Plan for family visitation and participation of residents who are capable in community activities.

Neighborhood Integration ~~& Good Neighbor Policy~~

- ~~Foster positive relationships with the surrounding community-~~
- Plan for communication with neighbors, who are located within 250 feet of the property lines in all directions where the group care home is located, excluding public streets, regarding safety concerns, facility policies, community integration of residents capable of community integration, and how the home will respond to complaints.
- Adequate onsite parking.
- ~~Noise and activity levels consistent with residential surroundings-~~

Financial & Operational Accountability

- Demonstrate and maintain financial stability and provide proof of insurance.
- Proper record-keeping for resident care, staff training, and facility maintenance.
- Compliance with annual inspections and audits must be met to maintain operational standing.

Admission & Discharge Policies

- Maintain clearly defined eligibility criteria for residents.
- An intake process should include medical and psychological assessments as needed.
- A discharge plan in place, ensuring residents have appropriate post-care arrangements if they leave the facility.

Any person or entity lawfully operating under a valid group care home license issued by the city prior to March 1, 2026 may continue to operate under the terms of such license and is not required to comply with the standards set forth in this Section 26-168, except for applicable local building codes, fire/life safety codes, zoning ordinance and health regulations and annual inspections, until one of the following events occurs:

- (1) the suspension, revocation, nonrenewal, or voluntary termination of the license;
- (2) the relocation, intensification, or modification of the group care home in a manner that increases licensed capacity, changes the population served, or materially alters operations; or
- (3) discontinuation of operations for a continuous period of at least 30 days.

Sec. 26-169. License application.

A written application for a license under this article shall be made to the director. The license application shall be filed upon forms furnished by the director in accordance with this article. The license application shall set forth, but not be limited to, the following information:

- (1) Name and address of legal owner of property; if a corporation submit copies of articles of incorporation, annual report, and any amendments thereto, all bearing evidence of filing with the secretary of state, with disclosure of directors and officers; if a partnership, the names and addresses of all partners; and if a limited liability company, the names and addresses of the managers and members;
- (2) Maximum number of residents proposed to occupy the home now and in the future;
- (3) Number of full-time staff to reside in the group care home, if any;
- (4) Supervision requirements in the group care home for the residents during all hours of operation;
- (5) Resume relating relevant experience of person who will be known as the authorized program representative; i.e., the person who has vested authority for the organization management, control and operation of the group care home;
- (6) Floorplan of the group care home, which includes the number and square footage of each room to be occupied as a bedroom or sleeping area, excluding closet space;
- (7) List of support staff, their job descriptions, and qualifications;
- (8) List of professional staff, their job descriptions, and qualifications;
- (9) Description of estimated annual budget;
- (10) Copy of a written plan for services, including professional services and staff care plan;
- (11) The group care home's rules and regulations, written intake procedures, relapse policy, discharge plan, and plan for removal of a client for noncompliance with rules and regulations;
- (12) Provide narrative of compliance with the standards as set forth in Section 26-168; and
- (13) When the property is leased to the operator/owner of the group care home, a copy of the lease which states that the property will be used as a group care home.

Sec. 26-170. Issuance or denial of license.

- (a) After receipt of a license application by the director, the director shall review it for compliance with the ~~standards~~requirements set forth in Section 26-169~~8~~. Once the director has a complete license application, the director will have thirty (30) days to review all information submitted. The director may seek input from city employees with a discipline in administration, finance, social programing and/or building codes. In the event the director seeks such input, such employee may request additional information and/or documentation from the applicant. If the applicant fails to submit the additional information/documentation within the time period set forth by the director, the license application will automatically be denied. Once the director has all the information/documentation requested, the director shall make a determination to grant or deny the license.
- (b) If the director determines that a license should be issued, the director shall issue a group care home license within ten (10) days of the determination.

- (c) If the director determines that a license should not be issued, the director shall, within ten days of the determination, notify the applicant of such determination, in writing, setting forth specifically the grounds for denial. A license applied for under this article may be denied if the application is incomplete or inaccurate, or if the applicant or sponsoring organization or agency fails to comply with applicable federal, state, and city laws, ordinances, and/or regulations, and such deficiency cannot be eliminated or sufficiently mitigated, or if the applicant has provided materially false or misleading information or omitted any pertinent information on its application.

Sec. 26-171. Duration of license.

Except as provided in this article, every license granted under this article shall be granted for a period of one year from the date of issuance.

Sec. 26-172. License renewal.

Applications for renewal of a group care home license shall be made to the director upon forms furnished by the director no later than sixty (60) days prior to the expiration of the current license. A renewal application shall be processed in the same manner as set forth in section 26-170. Any cause for revocation of a license as set forth in section 26-175 may also be a cause for nonrenewal of a license.

Sec. 26-173. Appeals.

- (a) By applicant/licensee. If the director denies a license application, renewal license application, or revokes a group care home license, the applicant/licensee may file a written appeal to the city council. The written appeal shall be filed within fifteen (15) days of the applicant's receiving notice from the director of planning that the license has been denied, not renewed, or revoked. The appeal shall clearly describe the facts and law explaining why the license should be granted, renewed or not revoked. The appeal shall be filed with the city manager, who will then forward such appeal to the city council, along with any and all records relating to the action from which the appeal is taken. The city council shall limit its consideration to the record created during the director's license review process. The licensee may continue with group care home activities on the subject property pending final action on the appeal by the city council.
- (b) Notice requirements; action by council. Notice of the time and place of the meeting of the city council to consider any appeal under this section shall be given by the city clerk to the applicant, not more than thirty (30) days nor less than fifteen (15) days before the meeting. The city council may, upon the majority vote of the members of the city council qualified to vote, affirm, reverse, wholly or in part, or modify, the decision of the director. The city council shall render a written decision to the applicant/licensee of the appeal within thirty (30) days ~~of the closing of the city council's consideration of the appeal its meeting.~~
- (c) Provisions of state law applicable. Any appeal from, or judicial review of, the decision of the city council pertaining to the issuance, denial, nonrenewal or revocation of the license provided for in this article shall be subject to, and be in accordance with, the Illinois Administrative Review Law (735 ILCS 5/3-101 *et seq.*), exclusively.

Sec. 26-174. Change of ownership.

- (a) A license issued under this article shall become null, void, and of no further effect when any of the following occurs:
- (1) Change in ownership of the sponsoring organization or agency involving more than ten percent of the aggregate ownership interest in the sponsoring organization or agency within a one-year period; or
 - (2) Change in the members of the board of directors of a corporate licensee involving 50 percent or more of the board members within a one-year period; or
 - (3) Takeover by another legal entity; or
 - (4) Dissolution of the ownership entity.
- (b) A license issued under this article to an ownership entity which is subsequently dissolved shall not be reactivated upon reinstatement of the ownership entity. Such an ownership entity shall apply for a new license.

Sec. 26-175. Revocation of license.

- (a) Generally. The license issued under this article may be revoked by the director after notice and hearing as provided for in subsection (c) of this section. Such revocation shall be for cause as provided in subsection (b) of this section.
- (b) Cause for revocation. Cause for revocation shall be as follows:
 - (1) A determination that any material information furnished by the applicant/licensee had been falsely stated; or
 - (2) The group care home does not comply with the provisions of this article or any of the ordinances of the city; or
 - (3) The management, owners or occupants of the group care home conduct, maintain or allow to exist conditions or activities upon the licensed premises which are unlawful or may constitute a public nuisance, a breach of the peace or which are a menace to the health, safety or general welfare of the public; or
 - (4) The applicant, licensee or owner of the property is a defaulter of the city. For the purposes of this subsection, the term "defaulter" shall mean the applicant, licensee or owner of the property having any outstanding financial obligations to the city, including, but not limited to, past due water bills, past due special assessment payments, past due property tax payments, parking ticket violations, weed and nuisance abatement liens, or any other past due loan payment owing to the city; or
 - (5) Refusal by any owner, operator, or staff person to allow entry into the group care home upon request by a police or code enforcement officer upon demonstration that probable cause exists to believe that a violation of this code exists.
- (c) Notice of revocation. The licensee shall be given written notice that a hearing will be held to determine if there is cause as listed in subsection (b) for the revocation of the license. Such notice shall be issued to the licensee not more than thirty (30) days or less than fifteen (15) days prior to such hearing and shall be mailed to the licensee's last known address or delivered in person and shall state the following:
 - (1) Specific grounds for the revocation;
 - (2) Date, time and place of the hearing; and
 - (3) Right of the licensee to participate and be represented at such hearing.
- (d) In the event the director determines after such hearing that the license under this article should be revoked, the director shall, within ten days of the determination, notify the licensee of such determination, in writing, setting forth specifically the grounds for the revocation.

Sec. 26-176. Procedure to request a reasonable accommodation for group care homes for persons with disabilities

- (a) Reasonable Accommodation. Any person seeking a license to operate a group care home that will house persons with disabilities may apply for a reasonable accommodation to obtain relief from a regulation, policy, or condition of this article that poses a barrier to equal access to housing.
- (b) Procedure.
 - (1) Application required. A written application for a reasonable accommodation shall be filed with and processed by the Director and shall include the following information:
 - (i) The specific provision, regulation, policy, or condition in this article from which the reasonable accommodation is being requested;
 - (ii) The specific exception or modification sought from the application of the subject provision, policy, or condition of this article that the applicant seeks;
 - (iii) Documentation that the specific exception or modification requested by the applicant is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy the home;
 - (iv) Any other information that the City Manager or designee reasonably determines is necessary to evaluate the request for a reasonable accommodation; and
 - (v) Any other information that the Director reasonably concludes is necessary to determine whether the accommodation can be approved, so long as any request for information regarding the disability of the individuals benefited complies with fair housing law protections and the privacy rights of the individuals affected.
- (c) Fees. No application fee is required to request a reasonable accommodation.
- (d) Within 60 days of receipt of a completed application, the Director shall issue a written determination to approve, conditionally approve, or deny a request for the requested reasonable accommodation.

- (e) Standards for granting a reasonable accommodation. The following factors may be considered in determining whether to grant a reasonable accommodation:
- (1) Whether the requested accommodation is reasonable and necessary to give the occupants of the proposed group care home an equal opportunity to that of those who are not disabled to use and enjoy the subject dwelling;
 - (2) Whether the requested accommodation would impose an undue financial or administrative burden on the city;
 - (3) Whether the requested accommodation would require making a fundamental alteration in the nature of this article or other ordinance of the city by eliminating an essential aspect of this article or other city ordinance;
 - (4) Whether a less drastic exception or modification to the applicable provision, regulation, policy, or condition that achieves the same end as the requested reasonable accommodation is available; and
 - (5) When a reasonable accommodation is requested to house more than 12 unrelated people in a group care home for persons with disabilities, the following additional factors may be considered in determining whether to grant the requested reasonable accommodation:
 - (i) Whether the proposed number of residents greater than 12 is necessary to ensure the therapeutic and/or financial viability of the group care home; and
 - (ii) Whether the proposed number of residents can and will emulate a biological family and operate as a functional family.

Sec. 26-177. Fees.

An applicant for a license under this article shall pay a nonrefundable application fee in accordance with Appendix B to this code. If the applicant is approved for a license, there shall be due a license fee in accordance with Appendix B to this code prior to the issuance of the license. A license shall also pay a renewal fee on an annual basis.

Sec. 26-178. Penalty for violation of article.

Any person or entity who conducts, keeps, manages or operates a group care home without a valid license from the city or a state, federal or county agency or violates any section of this article ~~or other applicable ordinances, laws, codes or regulations~~ shall be subject to a fine of not less than \$500.00 or more than \$1,000.00 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Such fine shall not be the exclusive relief for the city to ensure compliance with this article. The city may seek an injunction or other equitable relief in court to stop any violation of this article. Violations of this article may bar future consideration for a group care home license. When any license issued under this article shall have been revoked for any cause, no new license shall be granted to such licensee for a period of one year thereafter for the conduct of a group care home in the city.

MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: Erik Berg, Management Analyst
William Kolschowsky, Assistant City Manager

DATE: January 26, 2026

SUBJECT: **Draft E-bike Ordinance**

Objective

Review a draft ordinance regulating low-speed electric bicycles (“e-bikes”), electric scooters (“e-scooters”), and out-of-class electric vehicles (“e-motos”).

Background

Staff has been researching municipal regulations on e-bikes, e-scooters, and e-motos to address concerns over their use in the City. At the October 13, 2025, Planning Session, staff discussed avenues for regulation of electric devices that would promote safe behavior among pedestrians, bicyclists, and drivers. Following the Planning Session, staff developed a scope of regulations and met with the Bicyclist and Pedestrian Commission on November 19, 2025, to present the City’s draft scope of regulations and solicit feedback from the Commission. The Commission generally supported the City’s overall approach to regulation. The Commission emphasized the need for education and discussed concerns about mandatory registration or safety equipment.

Based on the discussion at these meetings, staff developed the proposed ordinance. The bullet points below are notable differences from the regulatory approach and the scope of regulations proposed at the respective Planning Session and the Bicyclist and Pedestrian Commission meetings:

- Instead of mandatory registration, the ordinance requires education for all electric device operators, since education could more effectively address complaints about unsafe behavior.
- The Illinois Vehicle Code defines a low-speed electric scooter as having a maximum speed of 10 miles per hour. To accommodate scooters with a higher maximum speed, the ordinance creates a separate definition for “electric scooter”, a scooter whose top speed is twenty miles per hour.
- The draft ordinance does not require helmets, although, in public communications, helmet use can be strongly encouraged.
- The draft ordinance establishes a speed limit for multi-use paths.

WHEATON MAYOR PHILIP J. SUESS



CITY MANAGER MICHAEL DZUGAN

CITY COUNCIL: ERICA BRAY-PARKER | LEAH BRICE | SCOTT BROWN | BRADLEY CLOUSING | LYNN ROBBINS | SCOTT WELLER

Draft Ordinance Summary

The ordinance amends Chapter 70 (Bicycles), Sections 510-516 to outline operating standards and prohibited actions for bicycles and operators of electric devices. The draft ordinance intends to strike a balance between the competing regulatory perspectives discussed in the October 13 Planning Session.

Section 70-510: Definitions

This section revises City Code to add the Illinois Vehicle Code's definitions of "low-speed electric bicycle" and "low-speed e-scooter." As mentioned earlier, the ordinance creates a separate definition for "electric scooter." Any electric device that does not meet the definitions of low-speed electric bicycle or electric scooter, e.g., an e-moto, is considered an "out-of-class electric vehicle." This ordinance uses the term "electric device" to refer to low-speed electric bicycles, electric scooters, and e-motos as a whole.

Section 70-511: Mandatory education requirement

Education is a crucial component of regulation. The purpose of mandatory education is to promote safe behavior by requiring users of electric devices to educate themselves on the rules of the road. The ordinance requires electric device operators in the City to submit certification that verifies awareness of Illinois Rules of the Road. Among other potential educational material, the City will accept completed quizzes from Ride Illinois, a bicycle advocacy organization that provides education on bicycle safety and general cycling etiquette. This organization has quizzes for both adults and children and the latest versions include questions on e-bikes and other electric devices. Users would submit their certificates of completion on the City's online permitting software. Device registration would remain optional.

Section 70-512: Operating standards

This section of the ordinance outlines and codifies the permissible conduct for operators of bicycles and electric devices.

- Age and license restrictions: As per the Illinois Vehicle Code, Class 3 e-bike riders are required to be sixteen years of age or older. E-moto riders are required to be sixteen years of age or older and have a valid driver's license to operate. There are no age restrictions for other electric devices.
- Location restrictions:

Device	Sidewalk	CBD Sidewalk	Roadway	Multi-Use Path
Bicycle	Yes	No	Yes	Yes
E-bike (all classes)	Yes	No	Yes	Yes
Electric scooter	Yes	No	Yes	Yes
Low-speed e-scooter	Yes	No	No	Yes
E-moto	No	No	Yes	No

- Speed limit: Electric devices must adhere to posted speed limits on roadways. Electric devices have a speed limit of fifteen miles per hour on multi-use paths.
- Parking: Bicycles and electric devices are expected to be parked in bicycle racks in the Central Business District and not obstruct pedestrian walkways.
- Penalties: The ordinance fines violators the same as a sidewalk violation (\$30.00); the fine increases with subsequent violations.

Section 70-513: Prohibited acts

While Sec. 70-512 provides the City's etiquette standards, this section specifically identifies and prohibits specific behaviors that are public safety or nuisance concerns. Moreover, while the Operating Standards section may need to be revised to accommodate future state legislation, this section of the ordinance is unlikely to be affected. The fine amount would be determined through the City's adjudicative process, with the amount of the fine depending on the violation's severity.

Section 70-514: Parental and guardian responsibility

Parents and guardians are held accountable for the conduct of minors under their care; if a minor violates the ordinance, their parent or guardian may be subject to a penalty as well.

Section 70-515: Exceptions:

ADA devices and public safety personnel operating electric devices in the course of their duties are exempt from the provisions of this ordinance.

Next Steps

Pending Council's direction, the ordinance will appear in front of the Council at a forthcoming meeting. Prior to consideration, the City would develop its public education material. The City plans to explore opportunities for collaboration with CUSD 200 in sharing the material. Once the ordinance is approved, communication, including the training and registration form, would be disseminated to the public.

Attachments

1. Draft Ordinance

ARTICLE VI. BICYCLES, LOW-SPEED ELECTRIC BICYCLES, ELECTRIC SCOOTERS, AND OUT-OF-CLASS ELECTRIC VEHICLES

Sec. 70-510. Definitions.

Bicycle: A device solely propelled by human power which any person may ride on a seat, having two (2) tandem wheels, except scooters and similar devices.

Electric device: A device propelled by motor propulsion, or with motor assist, which includes, but is not limited to, low-speed electric bicycles, electric scooters, and out-of-class electric vehicles.

Electric scooter: A device weighing less than 100 pounds, with 2 or 3 wheels, handlebars and a floorboard that can be stood upon while riding, that is powered by an electric motor and human power, and whose maximum speed, with or without human propulsion is no more than twenty (20) miles per hour.

Low-speed electric bicycle: A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and that meets the requirements of one of the following three (3) classifications set forth in Section 1-140.10 of the Illinois Vehicle Code.

- (1) Class 1 low-speed electric bicycle: A low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour.
- (2) Class 2 low-speed electric bicycle: A low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of twenty (20) miles per hour.
- (3) Class 3 low-speed electric bicycle: A low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour.

Low-speed electric scooter: A type of electric scooter whose maximum speed, with or without human propulsion, is no more than 10 miles per hour.

Multi-use path: A designated pathway, excluding sidewalks, for shared use by bicycles, pedestrians, and other electric device users, except for out-of-class electric vehicles.

Out-of-class electric vehicle: A motorized device which is not required to be issued title documents, license plates, or registration by the State of Illinois, is equipped with an electric motor of more than 750 watts that can be used to propel the device, may exceed a speed of twenty-eight (28) miles per hour, or otherwise does not meet the criteria established for low-speed electric bicycles or electric scooters. This includes low-speed electric bicycles that have been modified.

Reckless operation: Operation of either a bicycle or an electric device with a conscious disregard for the safety of others and/or the operator, which poses a substantial and unjustifiable risk to the safety of the operator or others, including, but not limited to, disobeying traffic regulations, weaving through traffic, clinging to other vehicles, use of a cell phone while in operation of the device, or operation while impaired. Reckless operation does not have to result in an injury.

Sidewalk: The paved portion of a right-of-way between the curb line or the lateral line of a roadway and the adjacent property line, intended for pedestrian use.

Sec. 70-511. ~~Voluntary registration and inspection. Mandatory education requirement.~~

~~Every owner of a bicycle residing in the city may file an application for registration thereof with the police department upon a form provided by the department, setting forth the name and address of the owner and a description of the bicycle by name and/or make, model and frame number thereof. Upon applying for such registration, such owner shall present his bicycle at the police department or any place designated by the chief of police as an official registration station, and such bicycle shall be stamped by the police department with an indelible, unremovable registration mark. It shall be the duty of the police department or person designated by the chief of police to copy the identifying mark on the application for registration form and the police department shall keep a permanent record of such registration.~~

~~{Code 1968, § 7-5; Code 1996, § 70-511}~~

Operators shall submit through the City's online portal documentation and/or certification that verifies satisfactory Illinois Rules of the Road training has been completed. A list of qualifying educational programs, trainings, and exams or quizzes, shall be provided on the City's website.

Sec. 70-512. ~~Registration fee. Operating standards.~~

~~Owners of bicycles wishing to register under section 70-511 shall pay the fees set forth in Appendix B to this Code.~~

~~{Code 1968, § 7-6; Code 1996, § 70-512}~~

(a) Age and license restrictions.

- (1) Operators of class 3 low-speed electric bicycles must be at least sixteen (16) years of age.
- (2) Operators of out-of-class electric vehicles must be at least (16) years of age, have a valid driver's license, and must be able to safely operate the device.

(b) Locations of operation. These are the following locations where bicycles and electric devices may be operated.

- (1) Roadways. Bicycles and electric devices, except for low-speed electric scooters, may be operated in the roadway. Operators of bicycles and electric devices must adhere to the rules of the road.
- (2) Sidewalks. Bicycles and electric scooters may be operated on sidewalks, unless expressly prohibited by official City of Wheaton signage. No person may operate an out-of-class electric vehicle on a sidewalk.
- (3) Multi-use paths. Bicycles and electric devices, except for out-of-class electric vehicles, may be operated on multi-use paths unless prohibited or otherwise regulated by official City of Wheaton signage. Out-of-class electric vehicles are prohibited from operation on multi-use paths.
- ~~(4)~~(4) Central business district. No bicycle, electric device, or any other wheeled device shall be operated by any person upon any sidewalk within the Central Business District of the city, as defined in section 42-21.
- (5) Municipal parking areas. No bicycle, electric device, or any other wheeled device shall be operated by any person upon any municipal parking area.

(c) Speed limit.

- (1) Bicycles and electric devices operating on public roadways shall not exceed posted speed limits.

(2) Bicycles, low-speed electric bicycles and electric scooters shall maintain a speed of no more than fifteen (15) miles per hour on multi-use paths.

(d) Parking.

(1) Bicycles and electric devices, when parked in the Central Business District, shall be parked in zones officially designated for that purpose, i.e., bicycle racks.

(2) No bicycle or electric device shall be parked in a manner that obstructs pedestrian pathways, Americans with Disabilities Act accessibility, or emergency access routes.

(e) Equipment required. Bicycles and electric devices are required to have the following equipment.

(1) A brake in good working condition which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.

(2) When operating at night (between the hours of sunset and sunrise), a lamp which shall emit a white light, located on the front of the device, and a red reflector on the rear, both of which shall be visible from a distance of at least 500 feet.

(f) Penalties. The penalty for violation of this Section will result in a \$30.00 fine for the first offense and \$100.00 for each subsequent violation.

Sec. 70-513. ~~Mutilation of registration mark.~~ Prohibited acts.

~~It is unlawful for any person other than the owner of the bicycle to willfully or maliciously remove, destroy, mutilate or alter the registration mark placed on the bicycle under the provisions of this article.~~

~~{Code 1968, § 7-7; Code 1996, § 70-513}~~

(a) The following acts are prohibited:

(1) Operating an electric device without completing the mandatory education requirements outlined in Sec. 70-511;

(2) Operating a bicycle or electric device while obstructing or failing to yield to pedestrians;

(3) Reckless operation of a bicycle or electric device.

(b) Any person who violates a provision of this Section shall be punished by a fine of not less than thirty dollars (\$30.00) and no more than nine hundred and fifty dollars (\$950.00). A separate offense shall be deemed committed for each day on which a violation occurs or continues.

Sec. 70-514. ~~Operation on sidewalks in Central Business District prohibited.~~ Parental and guardian responsibility.

~~No bicycle shall be operated by any person upon any sidewalk in or upon any municipal parking area within the Central Business District of the city, as defined in section 42-21.~~

~~{Code 1968, § 7-12; Code 1996, § 70-514; Ord. No. F-0521, § 2, 9-18-2000}~~

(a) Parents and guardians of minors are responsible for the appropriate operation of electric devices owned by said parents and guardians or owned by minors under their direct control.

(b) Any violation of this Article committed by a minor under the direct control of, or with the consent of, their parent or guardian will subject said parent or guardian to a violation of this Article and the penalties provided herein.

Sec. 70-515. Parking. Exceptions.

~~(a) Bicycles, when parked in the Central Business District, shall be parked in zones officially designated for that purpose, i.e., bicycle racks.~~

~~(b) No bicycle shall be parked within four feet of a plate glass window.~~

~~(Code 1968, § 7-13; Code 1996, § 70-515)~~

Sections 70-511 through 70-513 shall not apply to:

(1) Authorized public safety personnel operating electric devices in the course of their duties; and

(1)(2) Personal assistance mobility devices as defined under the Americans with Disabilities Act where necessary to provide a reasonable accommodation.

Sec. 70-516. Bicycle equipment required when same is being operated within the city. City immunity.

~~Bicycles operated in the city are required to have the following equipment:~~

~~(1) An operational bell or horn which is audible at a distance of 100 feet.~~

~~(2) A brake in good working condition which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.~~

~~(3) A lamp which shall emit a white light, located on the front of the bicycle, which is visible on the front and from a distance of at least 500 feet. The lamp needs to be used during operation of the bicycle between the hours of sunset and sunrise.~~

~~(Code 1996, § 70-516; Ord. No. F-0027, § 2, 5-6-1996; Ord. No. O-2024-01, § 1, 2-5-2024)~~

Nothing in this Article designates the operation of bicycles, low-speed electric bicycles, electric scooters, or out-of-class electric vehicles as an intended or permitted use of property with respect to Section 3-102 of the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/3-102, as amended.

Sec. 70-517. – Sec. 70-540. Reserved. Schedule of fines.

~~The penalty for violation of these sections will result in a \$30.00 fine.~~

~~(Code 1996, § 70-517; Ord. No. F-0027, § 2, 5-6-1996; Ord. No. F-0680, § 3, 2-4-2002; Ord. No. O-2022-16, § 4, 4-18-2022)~~