

**ORDINANCE NO. O-2022-**

**AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING ORDINANCE ARTICLE 24.7.2(A)-  
RECREATIONAL VEHICLE OWNER RESTRICTION**

**WHEREAS**, the City of Wheaton (the “City”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the City has the authority to adopt ordinances and to promulgate rules and regulations related to the effective and orderly development of property located with the City; 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 January 11, 2022 to consider said amendment to the text of the City Zoning Ordinance and the Planning and Zoning Board has recommended denial of the request; and

**WHEREAS**, on May 2, 2022, the Wheaton City Council considered the recommendation of the Wheaton Planning and Zoning Board together with all evidence and public comment pertaining to the proposed text amendment; and

**WHEREAS**, on May 2, 2022, a motion before the Wheaton City Council to recommend approval of the proposed text amendment failed; and

**WHEREAS**, on May 2, 2002, a motion to recommend approval of an amendment to the existing parking restrictions for recreational vehicles passed unanimously to state: that the owner of a recreational vehicle must be the owner of the home where the vehicle is parked but that the home need not be owner occupied.

**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 24.7.2(a) in its entirety and replacing it with the following:

“a. The owner of the recreational vehicle must be the owner of the home where the vehicle is parked.”

**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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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:** 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 4:** This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

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Mayor

ATTEST:

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City Clerk

Roll Call Vote

Ayes:

Nays:

Absent:

Passed:

Published: