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ORDINANCE NO. F-0079

AN ORDINANCE AMENDING ORDINANCE NO. F-0045,
"AN ORDINANCE ESTABLISHING A MORATORIUM UPON ISSUANCE
OF BUILDING PERMITS FOR WIRELESS COMMUNICATION FACILITIES"

WHEREAS, on July 15, 1996 the City Council of the City of Wheaton, Illinois (City) adopted Ordinance No. F-0045 placing a moratorium on the issuance of permits for wireless communication facilities for a period of six months; and

WHEREAS, during the six month moratorium period the City staff was to review the impact of wireless communication facilities on the public's health, safety and welfare and provide appropriate regulations for the placement, construction, and modification of wireless communication facilities; and

WHEREAS, the City staff's initial review suggests wireless communication facilities should be encouraged to be located on existing structures such as City water towers due to the esthetic value offered by locating such facilities on existing structures; and

WHEREAS, the City believes there is a greater benefit to allow wireless communication facilities on existing City water towers than free standing towers; and

WHEREAS, in cooperation with wireless communication companies who desire to be operational with their wireless systems as soon as possible, the City believes an amendment to the Ordinance No. F-0045 allowing for wireless communication facilities to be located on existing City water towers to be in the best interest of the health, safety and welfare of the City's residents.

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: Section 1 of Ordinance No. F-0045 be deleted in its entirety and be replaced with the following - "Moratorium on Development of Wireless Communication Facilities. A moratorium shall be placed on the issuance of permits for the placement, construction, or modification of any wireless communication facilities for a period of six (6) months from the date of Ordinance No. F-0045 unless otherwise extended by the City Council, except such moratorium shall not affect the placement, construction, or modification of any wireless communication facilities to be located on an existing water tower owned by the City pursuant to a lease agreement approved by the City Council."

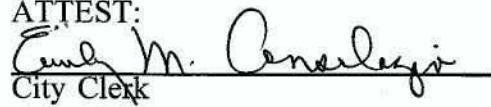
Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 3: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor Carr

ATTEST:



Emily M. Averdego
City Clerk

Roll Call Vote:

Ayes: Councilman Mork
Councilman Gerig
Councilman Eckhoff
Mayor Carr
Councilman Gresk
Councilwoman Johnson

Nays: None

Absent: Councilwoman Davenport

Motion Carried Unanimously

Passed: November 18, 1996

Published: November 19, 1996