

ORDINANCE NO. F-0935

AN ORDINANCE AMENDING THE TEXT OF THE WHEATON CITY CODE,
CHAPTER 22, BUILDING & CODE REGULATIONS, ARTICLE XII, SECTION 412 (4)(d),
DEMOLITION OF BUILDINGS, AIRBORNE PARTICLES

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 subject matter of this ordinance pertains to the government and affairs of the City and its residents; and

WHEREAS, it is desirable to safeguard the health and safety of the citizens of the City to ensure airborne particles are controlled at properties at all times while work is being done to demolish an existing structure.

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

Section 1. The Wheaton City Code text is amended by deleting and repealing Chapter 22, Article XII, Section 412 (4)(d), Review Standards, Requirements, *Airborne Particles*, in its entirety and replacing it with a new Section 412 (4)(d), as follows:

"(d) Particulate Control. Airborne Particles shall be controlled at the subject property at all times during the work by thoroughly saturating all portions of the structure and areas surrounding the structure with water. Such spraying shall be undertaken at all times necessary to thoroughly control the creation and migration of airborne particles, including, without limitation, dust from the subject property during the demolition and removal of material from the subject property. The water source for control of airborne particles shall be either a water tanker truck with a pump capacity of 100 gallons per minute at the nozzle or a hydrant connection to the City's water system. The water shall be delivered from the water source to the subject property by a hose with a minimum diameter of one and one-half inches (1 ½") when on the subject property."

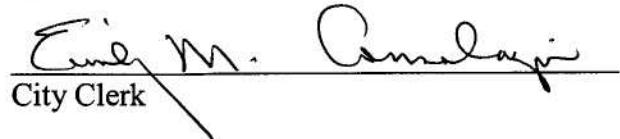
Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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



James Carr
Mayor

ATTEST:



Emily M. Amelagin
City Clerk

Roll Call Vote:

Ayes: Councilman Mouhelis
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilwoman Johnson
Councilman Mork

Nays: None
Absent: None

Motion Carried Unanimously

Passed: August 16, 2004

Published: August 17, 2004