

ORDINANCE NO. F-1534

**AN ORDINANCE ESTABLISHING REGULATIONS THAT LIMIT THE NUMBER AND PLACEMENT OF REAL ESTATE SIGNS IN THE CITY OF WHEATON**

**WHEREAS**, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the public health, safety, durability, morals and general welfare of the citizens of the City to amend the City Zoning Ordinance, Article 23.3.9, pertaining to real estate signs.

**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 December 14, 2010 to consider said amendment.

**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 23.3.9 in its entirety and replacing it with the following:

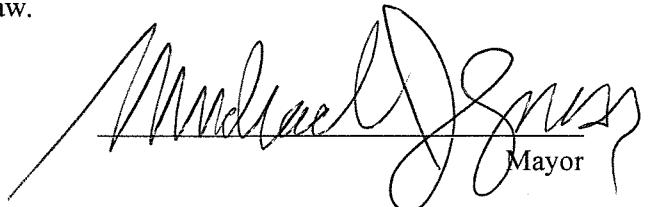
**23.3.9 Exemptions**

Signs identifying property for lease or sale with one (1) sign per lot or per principal structure, except on a corner, double frontage or through lot where two (2) signs are allowed where one (1) sign faces each street. Signs shall be placed on private property and located no closer than one (1) foot to a public sidewalk. On streets where no sidewalks exist, signs shall be located no closer than twenty (20) feet to the edge of the street pavement or twenty (20) feet from the back of curb, if a curb is present. No such sign shall exceed six (6) square feet in area and no such sign shall be illuminated. All such signs must be removed within twenty-four (24) hours of the closing of said property.

**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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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:** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be 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, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4:** This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Michael J. Morris  
Mayor

ATTEST: Edith Omelko  
City Clerk

Roll Call Vote:

Ayes: Councilman Prendiville  
Councilman Scalzo  
Councilman Suess  
Councilwoman Corry  
Councilman Levine  
Councilman Mouhelis  
Mayor Gesk

Nays: None

Absent: None

Motion Carried Unanimously

Passed: January 3, 2011  
Published: January 4, 2011