

**ORDINANCE NO. F-1639**

**AN ORDINANCE AMENDING CHAPTER 74, "UTILITIES," ARTICLE III, "SEWERS  
AND SEWAGE DISPOSAL"**

**WHEREAS**, the Wheaton Sanitary District (hereinafter "District") has requested that the City of Wheaton adopt an ordinance requiring new industrial and commercial users to notify the District of activities which may result in the discharge of industrial/commercial by-products into the sanitary sewer system; and

**WHEREAS**, the Corporate Authorities of the City of Wheaton believe that the public health, safety and welfare would be benefited by such an ordinance.

**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, that Chapter 74, Article III, is amended by the addition of a new Section 74-79 to be titled "Industrial/Commercial User Notification," which shall provide as follows:

**SECTION 1:**

**Sec. 74-79 Industrial/Commercial User Notification**

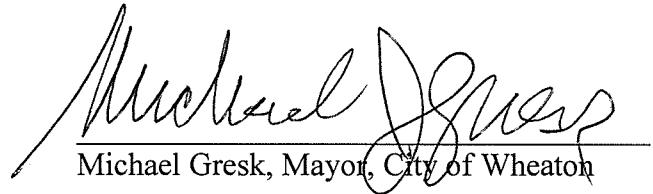
All persons or entities submitting a petition, application or any other request for permission to operate an industrial or commercial use within the City of Wheaton shall secure from the Wheaton Sanitary District written proof that it has been notified of proposed industrial/commercial use prior to the City's issuance of any City permit or other authorization. For purposes of this Ordinance, an industrial/commercial user shall be any user involved in manufacturing or commercial activities, whether by mechanical, chemical or other means, which allows the by-products of its activities to be discharged into the sanitary sewer system. Proof of the notification to the City shall be provided by the new industrial/commercial user on a written form provided by the Wheaton Sanitary District.

**SECTION 2:** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

**SECTION 3:** That if any part of this Ordinance is declared invalid by a Court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as authorized and directed to be done by the Mayor and City Council of the City of Wheaton.

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Michael Gresk

Michael Gresk, Mayor, City of Wheaton

ATTEST:



Sharon Barrett-Hagen

Sharon Barrett-Hagen, City Clerk

Roll Call Vote:

Ayes: Councilman Suess  
Councilwoman Ives  
Councilman Mouhelis  
Councilman Rutledge  
Mayor Gresk  
Councilwoman Pacino Sanguinetti  
Councilman Scalzo

Nays: None  
Absent: None

Passed: May 21, 2012

Published: May 22, 2012