

ORDINANCE NO. F- 1863

AN ORDINANCE AMENDING THE TEXT OF THE WHEATON CITY CODE AND ZONING ORDINANCE – PERIMETER WINDOW LIGHTING

WHEREAS, the City of Wheaton Zoning Ordinance defines a sign as “*a display, emblem, device or structure used to identify or advertise a business, product, service, event, institution, organization, location or individual*”; and

WHEREAS, Article 23.1 of the City of Wheaton Zoning Ordinance states that it is the intent of this ordinance to encourage signs wherever they are moderate in size and design and consistent with the public safety and the welfare of surrounding areas, but to discourage signs which distract the attention of the motorists or are otherwise hazardous, or which create a carnival atmosphere inconsistent with the suburban character of Wheaton; and

WHEREAS, the Corporate Authorities of the City have determined that perimeter window lighting are not signs as defined by the City of Wheaton Zoning Ordinance but instead, attention getting devices which create an atmosphere inconsistent with the suburban character of Wheaton; 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 on April 28, 2015 amending certain provisions of the City Code and Zoning Ordinance pertaining to the regulation of Perimeter Window Lighting.

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: Pursuant to the Findings of fact made and determined by the City of Wheaton Planning and Zoning Board, Article XXIII – Signs Sec. 23.4.1 Attention Getting Devices of the City of Wheaton Zoning Ordinance is amended by deleting it in its entirety and replacing it with the following Section:

“Attention-Getting Devices. No attention getting device, including but not limited to pennants, streamers, festooned lights, perimeter window lighting, whirligigs, nor any sign which is designed to be moved by the wind, shall be permitted, except as provided in this Article.”

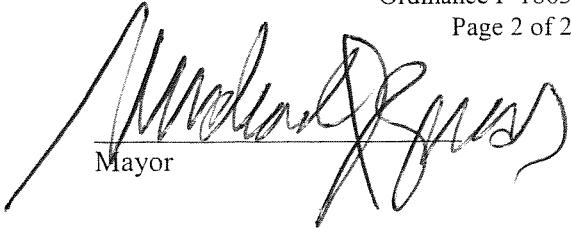
Section 2: Pursuant to the Findings of fact made and determined by the City of Wheaton Planning and Zoning Board, Article XXIII – Signs Sec. 23.7.3(d). Window Signs of the City of Wheaton Zoning Ordinance is amended by deleting it in its entirety and replacing it with the following Section:

“d. Neon and/or LED signs may be installed as window signs subject to these regulations.”

Section 3: In all other respects, the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective form and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Michael Gresk

ATTEST:

Adam Bennett Hagn
City Clerk

Roll Call Vote

Ayes: Councilman Rutledge
Mayor Gresk
Councilman Saline
Councilman Scalzo
Councilman Suess
Councilwoman Fitch
Councilman Prendiville

Nays: None
Absent: None

Motion Carried Unanimously

Passed: May 4, 2015
Published: May 5, 2015