

**ORDINANCE NO. O-2021-33**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WHEATON – CHAPTER 58 –  
STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES**

WHEREAS, the City of Wheaton ("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, the Corporate authorities of the City of Wheaton find that it is in the best interest of its residents to have and maintain standards regulating and governing the construction and maintenance of all property, buildings, and structures to ensure that they are safe, sanitary, and fit for occupation and use; and

WHEREAS, the City Staff has carefully evaluated the City Code and believes certain amendments are appropriate given current standard construction practices.

NOW THEREFORE BE ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois that the Wheaton City Code is hereby amended to provide as follows:

SECTION 1: That Chapter 58, Streets, Sidewalks, and Other Public Places, Article II.-Construction, Section 58-71 (a) is hereby repealed and rescinded in its entirety and replaced with the following:

- (a) No driveway approach shall be constructed with a width greater than 24 feet for one-car and two-car garages in residential districts, 28 feet for three-car garages in residential districts, or 30 feet in commercial or industrial districts, measured at the property line or at the beginning of the required flare, whichever is further from the street. For approaches in residential districts, there shall be a minimum flare on each side at the curb cut of three feet on minor streets and six feet on collector and arterial streets as designated by the City Engineer. The flare shall commence at a point at least seven feet from the back of the curb or as determined by the City Engineer. Commercial and industrial approaches shall have a flare having a minimum radius of 15 feet commencing 15 feet from the back of the curb. Unidirectional approaches at each end of required parallel access easements shall be encouraged and subject to the approval of the traffic engineer consistent with good engineering practices.

SECTION 2: That Chapter 58, Streets, Sidewalks, and Other Public Places, Article II.-Construction, Section 58-71 (c) is hereby repealed and rescinded in its entirety and replaced with the following:

- (c) Reconstruction of existing approaches shall be in conformance with the specifications set out in this section. Reconstruction shall be defined as the removal and replacement of more than 50 percent of the existing surface. Any curb and gutter falling within the required curb depression area which does not meet these specifications or is in a substantial state of disrepair shall be removed and replaced as described in this section, as determined by an


authorized city inspector. The cost of the replacement of the curb and gutter section shall be borne by the applicant.

SECTION 3. All ordinances or parts of ordinances in conflict with these provisions are repealed.

SECTION 4. This ordinance shall become effective from and after its passage, approval, and publication in the manner prescribed by law and shall become effective June 21, 2021.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Ayes:

Roll Call Vote:

Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller  
Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: June 21, 2021

Published: June 22, 2021