

ORDINANCE NO. O-2022-45

**AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING ORDINANCE
ARTICLES 3.4D.1 AND 25.7.2 OF THE WHEATON ZONING ORDINANCE
"RESIDENTIAL EXTERIOR LIGHTING"**

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be appropriate to amend certain provisions of the Zoning Ordinance pertaining to residential exterior lighting restrictions; 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, acting as a hearing body on January 11, 2022 to consider said amendment to the text of the City Zoning Ordinance and the Planning and Zoning Board has recommended approval of the request.

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

Section 1: The text of the Wheaton Zoning Ordinance, Article 3.4D.1 of the Wheaton Zoning Ordinance is hereby amended by repealing and rescinding Article 3.4D.1 in its entirety and replacing it with a new Article 3.4D.1, which shall read as follows:

"All exterior lighting fixtures, except decorative coach-style lights, catenary lights and post lights, shall be designed, shaded, and/or oriented so as to avoid casting direct light or glare towards surrounding properties or streets.

In no instance shall any exterior lighting fixture, individually or combined, cause illumination onto adjoining private property in excess of 0.1 foot candles.

Motion-triggered lighting shall not be activated by movement beyond the property boundary and shall only stay on for a maximum five (5) minutes after they're triggered.

All exterior lighting fixtures for new residential structures, constructed after (date of adoption of amendment), shall be IDA and/or Dark Sky compliant."

Section 2: The text of the Wheaton Zoning Ordinance, Article 25.7.2 of the Wheaton Zoning Ordinance is hereby amended by repealing and rescinding Article 25.7.2 in its entirety and replacing it with a new Article 25.7.2, which shall read as follows:

Glare: In addition to the standards imposed by particular use district regulations, no commercial operation shall, between the hours of 10:00 p.m. and 6:00 a.m., cause illumination in a residential district in excess of 0.05 foot candles."

Section 3: 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 4: If any phrase, clause, sentence, paragraph, or section of this ordinance is 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.

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



Philip J. Suess
Mayor

ATTEST: 

Andrea Rosedale
City Clerk

Roll Call Vote

Ayes: Councilwoman Bray Parker
Councilman Barbier
Councilman Brown
Mayor Suess
Councilwoman Robbins
Councilman Weller

Nays: None

Absent: Councilwoman Fitch

Motion Carried Unanimously

Passed: October 17, 2022

Published: October 18, 2022