

ORDINANCE NO. O-2024-29

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WHEATON
CHAPTER 22 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE XII (FENCES AND FLAGPOLES)**

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 Mayor and City Council and City Staff have carefully evaluated the City Code and believe certain amendments are appropriate.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, Illinois by its home rule authority, that the Wheaton City Code is hereby amended to provide as follows:

SECTION 1: That Chapter 6 (Buildings and Building Regulations), Article XII (Fences and Flagpoles) is hereby amended as follows:

Sec. 22-150 Definitions: Add the following definition -

Interior front yard means an area of the front yard in a corner lot which is bounded by (1) the front lot line, (2) the side lot line which is adjacent to a side or rear lot line of another corner lot, (3) a line running generally parallel to the front lot line from the side lot line to the closest corner of the front elevation foundation of the principal structure, and (4) a line running generally parallel to the side lot line from the same corner of the elevation foundation to the front lot line.

Sec. 22-157 – Maximum fence heights. Add a new subparagraph (d) -

(d) Fences located in an interior front yard may be erected to a maximum height of four feet above grade. Such fences shall be open type fences.

SECTION 2: In all other respects, the terms and provisions of the Wheaton City Code are ratified and remain in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict with these provisions are hereby repealed.

SECTION 4: In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

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



Mayor

ATTEST:



City Clerk

Roll Call Vote:
Ayes: Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker

Nays: None
Absent: None
Motion Carried Unanimously

Passed: November 4, 2024
Published: November 5, 2024