

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**SECTION 3:** All ordinances or parts of ordinances in conflict with these provisions are hereby repealed.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 from in the manner prescribed by law.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Andrea Rosedale

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