

ORDINANCE NO. O-2025-42

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WHEATON
CHAPTER 74 (UTILITIES), ARTICLE I (IN GENERAL) RELATING TO LOCATABILITY OF UTILITIES**

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 a new Section 74-1 shall be added to Chapter 74 (Utilities), Article I (In General) to read as follows:

Sec. 74-1. – Locatability of utilities.

Any excavator or legal entity, public or private, who, on or after January 1, 2026, installs a nonconductive service line shall ensure that the installation is locatable by electromagnetic means or other equally effective means as determined by the Director of Public Works for marking the location of the service line. This subsection does not apply to minor repairs to, or partial replacements of, service lines installed prior to January 1, 2026.

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SECTION 3: All ordinances or parts of ordinances in conflict with these provisions are hereby repealed.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



Andrea Rosedale
City Clerk

Roll Call Vote:

Ayes: Councilwoman Robbins
 Councilman Weller
 Councilwoman Bray-Parker
 Councilwoman Brice
 Councilman Brown
 Mayor Suess
 Councilman Clousing

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: September 15, 2025

Published: September 16, 2025