

ORDINANCE NO. F-1086

**AN ORDINANCE AMENDING CHAPTER 42, OFFENSES AND
MISCELLANEOUS PROVISIONS, ARTICLE 1, IN GENERAL, SECTION 42-33
URINATING OR DEFECATING IN PUBLIC**

WHEREFORE, the Corporate Authorities of the City of Wheaton deem it necessary and appropriate, pursuant to their Home Rule Authority, to adopt an Ordinance prohibiting urinating or defecating on public property and other areas; and,

WHEREFORE, such Ordinance in the best interests of the public health, safety and welfare of the Citizens of the City of Wheaton.

NOW, THEREFORE, be it Ordained by the Mayor and the City Council of the City of Wheaton, DuPage County, Illinois, that Chapter 42, Offenses and Miscellaneous Provision, Article 1, in General, of the Wheaton City Code, is amended by the addition of a new Section 42-32 which shall read as follows:

SECTION 1:

“Sec. 42-32: URINATING OR DEFECATING IN PUBLIC

It shall be unlawful for any person to urinate or defecate:


- A) In or on a public street, right-of-way, alley, sidewalk, yard, park, building, structure, plaza, utility right-of-way, or other public place, other than in a restroom;
- B) Or in any place where the urination or defecation is within the public view. For purposes of this Ordinance the Public shall include Police Officers.”

SECTION 2: All Ordinances and parts of Ordinances in conflict with or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of any such conflict or inconsistency.

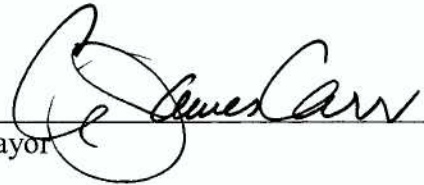
SECTION 3: That if any part of part or portion of this Ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this Ordinance.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as is hereby authorized and directed to be done by the Mayor and City Council.

ATTEST:



City Clerk



Mayor

Ayes:

Roll Call Vote:

Councilman Mouhelis
Councilman Sues
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays:

None

Absent:

Councilman Bolds

Motion Carried Unanimously

Passed: October 17, 2005
Published: October 18, 2005