
THE VILLAGE OF BLOOMINGDALE

DUPAGE COUNTY, ILLINOIS

ORDINANCE

NUMBER 2023-23

**AN ORDINANCE
AMENDING TITLE 4 CHAPTER 3 OF
THE VILLAGE OF BLOOMINGDALE
CODE OF ORDINANCES
(AMUSEMENT DEVICES)**

FRANCO A. COLADIPIETRO, Mayor
PAMELA S. HAGER, Village Clerk

VINCE ACKERMAN
WILLIAM BELMONTE
BILL BOLEN
FRANK BUCARO
PATRICK SHANNON
JUDI VON HUBEN

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Bloomingdale
on this the 8th day of May 2023

ORDINANCE NO. 2023-23

**AN ORDINANCE
AMENDING TITLE 4 CHAPTER 3 OF
THE VILLAGE OF BLOOMINGDALE
CODE OF ORDINANCES
(AMUSEMENT DEVICES)**

WHEREAS, the Village of Bloomingdale (hereinafter referred to as "Village") is a Home Rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Illinois Constitution of 1970 provides that the Village President and Board of Trustees (collectively, the "Corporate Authorities") of a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt;

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Bloomingdale, as amended;

WHEREAS, Title 4 (Business and License Regulations) Chapter 3 (Amusement Devices) Section 4-3-1 (Definitions) provides the definitions pertaining to the operation of amusement devices within the Village;

WHEREAS, Section 4-3-1 of the Village Code currently maintains a key threshold of three or more amusement devices to qualify as a "Game Room" and "Game Room Licensee";

WHEREAS, the Corporate Authorities of the Village desire to amend the Village Code to provide an increase of this key threshold from three to six or more amusement devices; and

WHEREAS, the Corporate Authorities of the Village of Bloomingdale are of the opinion that the aforementioned amendment to the Village's Code of Ordinances is in the best interest of the public safety, health and welfare of the residents of the Village of Bloomingdale.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois, pursuant to the Village's Home Rule Powers, as follows:

Section One - Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Amendment to Title 4 Chapter 3 Section 4-3-1

Title 4 (Business and License Regulations) Chapter 3 (Amusement Devices) Section 4-3-1 (Definitions) shall be amended as follows:

4-3-1: DEFINITIONS:

AMUSEMENT DEVICE: Any machine, game, table or other device designed, intended, displayed or kept as an amusement game or test of skill and for the playing of which a charge is made. The term amusement device, when used in this chapter, shall include, but not be limited to, devices commonly known as pinball machines, shuffleboards, bowling machines and coin operated games of skill but shall not include regulation bowling alleys or pool or billiard tables. Amusement devices shall include any machine which, upon the insertion of a coin, slug, token, plate or disk, or the use of which is made available for any valuable consideration, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. The term shall include such devices as marble machines, electronic games, skill ball, mechanical grab machines and all games, operations, or transactions similar thereto under whatever name they may be indicated.

ATTENDANT: Any person acting for and in behalf of an operator or game room licensee.

GAME ROOM: Any premises in which ~~three (3)~~ six (6) or more amusement devices are operated for commercial purposes.

GAME ROOM LICENSEE: Any person, firm, corporation or association in immediate control of premises, including any owner or lessee thereof, within or upon which ~~three (3)~~ six (6) or more amusement devices are operated for commercial purposes.

Section Three – Codification

The title, chapter(s) and section(s) adopted by this ordinance shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the Bloomingdale Municipal Code.

Section Four – Home Rule Preemption

This ordinance represents an exercise of the home rule powers conferred upon the Village of Bloomingdale by the Constitution of the State of Illinois. This ordinance is specifically intended to preempt state law pertaining to the extent permitted under the Constitution of the State of Illinois.

Section Five – Effective Date:

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Six - Publication

This ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Seven - Conflict Clause

That all ordinances or parts of ordinances in conflict with the terms of this ordinance shall be repealed to the extent of said conflict.

Section Eight– Saving Clause

If any section, paragraph, clause or provision of this ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of the remaining provisions of the Village's Municipal Code, which are hereby declared to be separable.


Section Nine - Recording

This ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

DECIDED pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon	X			
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
TOTAL	6	0	0	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 8th day of May 2023.



Franco A. Coladipietro
Village President

ATTEST:



PAMELA HAGER
Village Clerk