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**THE VILLAGE OF BLOOMINGDALE**  
DUPAGE COUNTY, ILLINOIS

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**ORDINANCE NUMBER 2022-08**

**AN ORDINANCE AMENDING THE BLOOMINGDALE VILLAGE CODE,  
AS AMENDED, TITLE 4 (BUSINESS AND LICENSE REGULATIONS);  
CHAPTER 2 (ALCOHOLIC BEVERAGES); SECTION 22 (MINORS) TO ALLOW  
PERSONS 18 YEARS OF AGE TO SERVE ALCOHOLIC DRINKS**

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Franco A. Coladipietro, Mayor  
Pamela S. Hager, Village Clerk

Vince Ackerman  
William Belmonte  
Bill Bolen  
Frank Bucaro  
Patrick Shannon  
Judi Von Huben

Village Board

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Published in pamphlet form by authority of the  
President and the Board of Trustees of the Village of Bloomingdale  
on this the 28th day of February, 2022

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AS AMENDED, TITLE 4 (BUSINESS AND LICENSE REGULATIONS);  
CHAPTER 2 (ALCOHOLIC BEVERAGES); SECTION 22 (MINORS) TO ALLOW  
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**WHEREAS**, the Village of Bloomingdale, DuPage County, Illinois (the “Village”) is a home rule unit of local government under Article VII, Section 6 of the 1970 Illinois Constitution and, except as limited by such Section, it may exercise any power and perform any function pertaining to its government and affairs;

**WHEREAS**, the Illinois Constitution of 1970 provides that 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**, Section 4-1 of the Illinois Liquor Control Act of 1934 (235 ILCS 5/4-1), expressly authorizes the corporate authorities of each Village to establish, by ordinance, regulations and restrictions upon the issuance of and operations under local liquor licenses not inconsistent with law as the public good and convenience may require;

**WHEREAS**, Title 4 (Business and License Regulations); Chapter 2 (Alcoholic Beverages); Section 22 (Minors) Subsection F (Employment) of the Village Code provides for certain employment exceptions related to the minimum age of employees in establishments licensed to sell liquor;

**WHEREAS**, the Corporate Authorities of the Village desire to amend the Village Code to allow servers that are 18 years of age to serve alcoholic drinks in certain licensed establishments within the Village; 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 BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BLOOMINGDALE, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS 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**

Title 4 (Business and License Regulations); Chapter 2 (Alcoholic Beverages); Section 22 (Minors) Subsection F (Employment) shall be amended as follows:

F. Employment:

1. No person who is under the age of twenty-one (21) years shall perform service as a bartender or draw, mix or pour (~~including wine pouring at tables~~) any alcoholic liquor within any premises for which a retail liquor license has been issued, except as provided in subsection F3 of this section.

2. No person who is under the age of ~~nineteen (19)~~ eighteen (18) years shall serve any alcoholic liquor as a waiter or waitress within any premises for which a retail liquor license has been issued.

3. Nothing contained in subsections F1 and F2 of this section shall be construed to prohibit persons of the age of ~~nineteen (19)~~ eighteen (18) years or older from pouring wine at a table, or pouring, mixing or adding a nonalcoholic beverage to a prepoured or mixed alcoholic liquor beverage; provided such act by a person of the age of ~~nineteen (19)~~ eighteen (18) years or older is performed as an incidental act to such person's employment as a waiter or waitress whose primary function is limited to serving food and beverage within premises for which a retail liquor license has been issued; and provided further, that such act does not constitute tending a bar.

4. No person who is under the age of twenty-one (21) years shall sell packaged liquor at a retail establishment for which a packaged liquor license has been issued.

### **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.

*[Remainder of Page Intentionally left blank; Roll Call to follow]*

**DECIDED** pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Vincent Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon			X	
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>1</b>	

**PASSED AND APPROVED** by the Village of Bloomingdale Board of Trustees on the 28th day of February, 2022.

  
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Franco A. Coladipietro, Village President

ATTEST:

  
\_\_\_\_\_  
Pamela S. Hager, Village Clerk