
THE VILLAGE OF BLOOMINGDALE

DUPAGE COUNTY, ILLINOIS

ORDINANCE

NUMBER 2022-24

**AN ORDINANCE AMENDING
TITLE 4 OF
THE VILLAGE OF BLOOMINGDALE
CODE OF ORDINANCES
(CLASS S LIQUOR LICENSE)**

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 13th day of June, 2022

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
TITLE 4 OF
THE VILLAGE OF BLOOMINGDALE
CODE OF ORDINANCES
(CLASS S LIQUOR LICENSE)**

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, 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 determine, by ordinance, the number, classification of licenses and fees to be charged for such licenses for the sale of alcoholic liquor within the Village;

WHEREAS, Title 4 (Business and License Regulations) Chapter 2 (Alcoholic Beverages) Section 8 (Classification of Licenses) provides the available classifications of liquor licenses available within the Village;

WHEREAS, Title 4 (Business and License Regulations); Chapter 2 (Alcoholic Beverages); Section 10 (Number of Licenses) establishes the number of each classification of liquor license currently authorized for issuance within the Village;

WHEREAS, Section 4-2-8 of the Village Code does not currently provide for a classification of liquor license available for beauty salon establishments that would allow salon owners to offer patrons alcoholic refreshments while they receive services;

WHEREAS, the Corporate Authorities of the Village desire to amend the Village Code to provide for this classification and number of available liquor licenses; 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 Section 4-2-8

Title 4 (Business and License Regulations) Chapter 2 (Alcoholic Beverages) Section 8 (Classification of Licenses) shall be amended to add:

P. Class S, Cosmetic Facility: A class S cosmetic facility license permits the retail sale of alcoholic beverages for consumption on the premises where sold and not for resale in any form. Sale in the original package for consumption off the premises is prohibited. Such licenses shall only be issued to establishments with a valid business license to operate a barbershop/salon, and where the service of alcoholic beverages is ancillary and incidental to cosmetic services. The annual fee for such license shall be one thousand dollars (\$1,000.00) and subject to the following conditions:

1. A class S license allows only the sale of champagne and wine to customers for on premises consumption while receiving cosmetic services.
2. The sale of alcoholic beverages is restricted the normal business hours of the barbershop/salon, and in no event shall champagne or wine be sold past 9:00 PM on any given day.
3. Each individual customer shall be served no more than two alcoholic beverages during any one calendar day.

Section Three – Amendment to Section 4-2-10

Title 4 (Business and License Regulations); Chapter 2 (Alcoholic Beverages); Section 10 (Number of Licenses) shall be amended, as set forth on the attached Exhibit A, to establish the Class S license resulting in the maintenance of five (5) total Class S liquor licenses.

Section Four – 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 Five – 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 Six – Effective Date:

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

Section Seven - Publication

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

Section Eight - 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 Nine– 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 Ten - 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
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	5	0	1	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 9th day of May, 2022.

Franco A. Coladipietro
Village President

ATTEST:

PAMELA S. HAGER
Village Clerk

EXHIBIT A

NUMBER OF LICENSES PER CLASS

The total number of all licenses issued for each class in force at any one time shall not exceed the number set forth as follows:

Classification	Number of Licenses
C	3
D-1	5
D-2	20
D-2/BP	0
E-1	0
F	1
G	1
H	1
MB	1
MT-2	0
MW	1
O	1
P-1	9
P-2	4
P-3	1
P-4	2
R	0
T	4
V (Video Gaming)	8
S	5

If any such license described herein is revoked, surrendered, or abandoned that class of license shall automatically be reduced by one.

Revised: Ord. # _____