
THE VILLAGE OF BLOOMINGDALE

DUPAGE COUNTY, ILLINOIS

ORDINANCE

NUMBER 2022-42

AN ORDINANCE AMENDING THE BLOOMINGDALE VILLAGE CODE, AS AMENDED, TITLE 4 (BUSINESS AND LICENSE REGULATIONS); CHAPTER 2 (ALCOHOLIC BEVERAGES); SECTION 8 (CLASSIFICATION OF LICENSES), SUB-SECTION D (CLASS T, TEMPORARY), TO EXPAND ELIGIBILITY FOR VILLAGE SPONSORED EVENTS TO BLOOMINGDALE CLASS BP (BREW PUB), MB (MICROBREWERY) AND MW (MICRO-WINERY) LIQUOR LICENSED ESTABLISHMENTS

FRANCO A. COLADIPIETRO, Mayor

PAMELA S. HAGER, Village Clerk

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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 24th day of October, 2022

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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(D) of the Village Code provides for a Class T (Temporary) liquor license which is currently restricted to Village business establishments in good standing holding a Class D liquor License;

WHEREAS, the Corporate Authorities of the Village desire to amend the Village Code to allow businesses holding other classifications of liquor licenses to be eligible to apply for such through 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, 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) Subsection D (Class T, Temporary) shall be amended as follows:

P. Class T, Temporary: A class T license permits the temporary retail sale of beer, wine and wine coolers for consumption only on the premises where sold, and not for resale in any form, to be issued for temporary stands, booths and counters such as used at picnics, celebrations and the like, with specific locations designated on the license. Such licenses shall only be issued to for events hosted by the Village, the Bloomingdale Park District, or civic, patriotic, fraternal, educational, religious or benevolent organizations. ~~There shall be no~~ The associated fee for a class T liquor license shall be \$50.00 per permit.

The Class T license for a ~~village sponsored Fest~~ is a supplemental license available only to village business establishments in good standing holding a Class D (Dining), Class BP (Brewpub), Class MB (Microbrewery), or Class MW (Micro-winery) liquor license. The supplemental license shall provide a certificate of insurance of liquor liability (dramshop) coverage, specifically referencing the applicable ~~event village sponsored Fest~~, its location and dates, and naming the Village of Bloomingdale or the Bloomingdale Park District where applicable, as an "additional insured" for such coverage. The supplemental license shall be considered part of the regular, current liquor license and subject to all other requirements provided by Village Code related thereto. Any and all violations of this chapter involving the sale of liquor at the ~~village sponsored Fest~~ any event pursuant to this supplemental license shall also accrue to the primary license itself, subjecting the primary license to suspension or revocation as provided in section 4-2-27 of this chapter.

A Class T license for the temporary retail sale of beer, wine and wine coolers for consumption only on the premises where stated on the permit, and not for resale in any form shall be subject to the following conditions and limitations:

1. A Class T License shall be issued for a period not to exceed twenty four (24) hours;
2. A Class T License shall not be issued to a location that permits smoking on the premises where the alcohol will be served or consumed.
3. A Class T License shall not be issued to any establishment licensed to operate video gaming terminals, as defined under the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., unless such establishment also maintains a Class V license with the Village of Bloomingdale.

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:

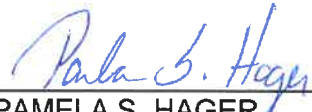
	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon	X			
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)			X	
TOTAL	6	0		

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 24th day of October, 2022.



Franco A. Coladipietro
Village President

ATTEST:



PAMELA S. HAGER
Village Clerk