
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

ORDINANCE NUMBER 2021-13

**AN ORDINANCE AMENDING THE BLOOMINGDALE VILLAGE CODE,
AS AMENDED, TITLE 4 (BUSINESS AND LICENSE REGULATIONS);
CHAPTER 2 (ALCOHOLIC BEVERAGES); SECTION 10 (NUMBER OF
LICENSES) TO DECREASE THE NUMBER OF CLASS “R” and “V” LIQUOR
LICENSES, FIRST ILR, LLC, D.B.A. (INDIAN LAKES RESORT),
250 W. SCHICK ROAD.**

Franco A. Coladipietro, Mayor
Jane E. Michelotti, 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 March, 2021

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AS AMENDED, TITLE 4 (BUSINESS AND LICENSE REGULATIONS);
CHAPTER 2 (ALCOHOLIC BEVERAGES); SECTION 10 (NUMBER OF LICENSES)
TO DECREASE THE NUMBER OF CLASS “R” and “V” LIQUOR LICENSES,
FIRST ILR, LLC,D.B.A. (INDIAN LAKES RESORT), 250 W. SCHICK ROAD.**

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 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 10 (Number of Licenses) of the Village Code provides for the number of each classification of liquor licenses;

WHEREAS, First ILR, LLC is the owner and operator of Indian Lakes Resort located at 250 W. Schick Road, Bloomingdale, IL 60108;

WHEREAS, First ILR, LLC currently holds a Class R (Resort) and Class V (Video Gaming) liquor licenses for Indian Lakes Resort;

WHEREAS, due to recent events that transpired at Indian Lakes Resort on February 6,

2021, that erupted into violence, which resulted in multiple injuries and a death, First ILR, LLC has voluntarily forfeited its Class R and Class V liquor licenses for Indian Lakes Resort;

WHEREAS, the Corporate Authorities of the Village desire to amend the Village Code to reflect the reduction of the number of liquor licenses issued 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 10 (Number of Licenses) shall be amended, as set forth on the attached Exhibit A, to decrease the number of Class R and V liquor licenses by one (1), resulting in the maintenance of zero (0) total Class R and seven (7) total Class V liquor licenses.

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:

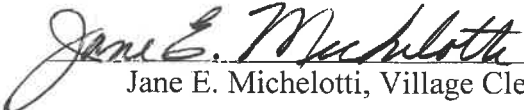
	YES	NO	ABSENT	PRESENT
Vincent Ackerman	X			
William Belmonte	X			
Bill Bolen	X			
Frank Bucaro	X			
Patrick Shannon	X			
Judi Von Huben	X			
Franco A. Coladipietro (only if necessary)				
TOTAL	6	0	0	

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 8th day of March 2021.



Franco A. Coladipietro, Village President

ATTEST:



Jane E. Michelotti, 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	6
D-2	22
D-2/BP	0
E-1	1
F	1
G	1
H	1
MB	1
MT-2	0
MW	0
O	1
P-1	8
P-2	3
P-3	1
P-4	1
R	0
T	4
V (Video Gaming)	7

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

Revised: Ord. # _____