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**THE VILLAGE OF BLOOMINGDALE**

DUPAGE COUNTY, ILLINOIS

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**ORDINANCE**

NUMBER 2021-37

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**AN ORDINANCE AMENDING  
TITLE 11 OF  
THE VILLAGE OF BLOOMINGDALE  
CODE OF ORDINANCES AS IT RELATES TO  
ALLOWANCES FOR ELECTRONIC MESSAGE CENTERS  
WITHIN ELECTRIC VEHICLE CHARGING STATIONS**

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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 27th day of September 2021

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**ORDINANCE NO. 2021-37**

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TITLE 11 OF  
THE VILLAGE OF BLOOMINGDALE  
CODE OF ORDINANCES AS IT RELATES TO ALLOWANCES FOR ELECTRONIC  
MESSAGE CENTERS WITHIN ELECTRIC VEHICLE CHARGING STATIONS**

**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 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 11 (Zoning Regulations) Chapter 5 (General Zoning Provisions) Section 9 (Accessory Structures and Uses) provides regulations related to accessory structures and uses within the Village;

**WHEREAS**, the Village has received requests for the allowance of specific advertising message centers to be placed within charging stations which would be used to generate advertising revenue and in turn allow charging station companies to provide residents with free electricity to charge their electric vehicles;

**WHEREAS**, the Village Board recognizes that the existing code does not provide any regulations related to Electronic Message Centers ("EMC") within Electric Vehicle Charging Stations ("EVCS");





**WHEREAS**, the Village of Bloomingdale Planning and Zoning Commission held a public hearing pursuant to State law on August 17, 2021 to discuss an amendment to the Code to provide regulations to allow EMCs within EVCS which resulted in a positive recommendation for the Village Board;

**WHEREAS**, the Village Board finds it necessary and proper pursuant to its Home Rule Powers to amend said Code, Chapter and Section to adopt regulations to allow EMCs in EVCS; 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 Title 11**

Title 11 (Zoning Regulations) Chapter 5 (General Zoning Provisions) Section 9 (Accessory Structures and Uses) Subsection B (Accessory Structures) shall be amended by adding the following:

11-5-9: Accessory Structures and Uses:

B. Accessory Structures:

8. Electric Vehicle Charging Stations (EVCS) containing Electronic Message Centers (EMC), shall be allowed in the B-1, Neighborhood Business District, B-2, Community Business District, B-3, General Business District and all business uses within the Planned Unit Development District of 250 Acres or More, pursuant to Section 11-10B-3(B), as permitted uses, and subject to the following:

1. EVCS shall be no larger than 86 inches in height, 47 inches in width and 16 inches in depth;

2. EMC faces shall be no more than 57 inches in height and 32 inches in width and no more than two (2) EMC's shall be permitted for each EVCS;
3. All EMC faces shall be dimmed between the hours of 11:00 p.m. and sunrise, unless located within a completely enclosed building;
4. EMC displays shall not be permitted to change more than once every eight (8) seconds;
5. EMC's on EVCS shall not exceed a total of 26 square feet, for both sides;
6. No EVCS containing an EMC shall be located within 25'-0" feet from a public right-of-way, unless located in a completely enclosed building;
7. No EVCS containing an EMC, shall be located within 250' from any residentially zoned district;
8. No more than two (2) EVCS with EMC, shall be located on any single acre of property;
9. EVCS, containing EMC's shall not be located on any lot smaller than one (1) acre;
10. A pair of EVCS, containing EMC's shall not be located within 300 feet of the next nearest pair EVCS containing EMC's;
11. Approved EMC's may not contain music, voices or otherwise generate any sound from the station;
12. At least one display of every eight (8), will be reserved for community content, provided by the Village.
13. EMC's incorporated within EVCS shall only be permitted provided that the electric vehicle battery charging services provided by the EVCS is being provided at no charge to the consumer for a minimum of two hours;
14. Any EVCS, containing EMC's that are not able to comply with the standards and criteria as set forth in 11-5-9B(8) of the Code, shall be required to obtain a special use for the proposed structures, subject to the criteria set forth in section 11-3-4 of the Village Code. Notwithstanding the preceding sentence, any proposed EVCS containing EMC's that fail to meet the requirements of 11-5-9(B)(8)(8), 11-5-9(B)(8)(10), or 11-5-9(B)(8)(13) provided herein, shall be subject to review and/or approval of the Village Board in open meeting, without requiring an additional public hearing process.

Title 11 (Zoning Regulations) Chapter 14 (Signs) Section 4 (Prohibited Signs) shall be amended as follows:

F. Off-site signage except for allowances provided for in Section 11-5-9B(8) and 11-14-8(S) of this code.

Title 11 (Zoning Regulations) Chapter 14 (Signs) Section 8 (General Sign Regulations) shall be amended as follows:

(C) Image/Video/Movement: Except as provided for in subsection T of this section and Section 11-5-9(B)(8) of this code, moving, rotating or animated signs, as well as signs creating the illusion of movement or LED based technology or any other electronically generated graphic display, shall be prohibited.

**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<br>(only if necessary) |          |          |          |         |
| <b>TOTAL</b>                                  | <b>6</b> | <b>0</b> | <b>0</b> |         |

**PASSED AND APPROVED** by the Village of Bloomingdale Board of Trustees on the 27th day of September 2021.

  
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Franco A. Coladipietro  
Village President



ATTEST:

  
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Pamela S. Hagedorn  
Village Clerk