
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

ORDINANCE
NUMBER 2021 - 39

**AN ORDINANCE AMENDING TITLE 4 (BUSINESS AND LICENSE
REGULATIONS) CHAPTER 11 (RESIDENTIAL DWELLING RENTAL
REGULATIONS) OF THE VILLAGE OF BLOOMINGDALE CODE OF
ORDINANCES**

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 27th day of September 2021

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AN ORDINANCE AMENDING TITLE 4 (BUSINESS AND LICENSE REGULATIONS) CHAPTER 11 (RESIDENTIAL DWELLING RENTAL REGULATIONS) OF THE VILLAGE OF BLOOMINGDALE CODE OF ORDINANCES

WHEREAS, the Village of Bloomingdale, DuPage County, Illinois (hereinafter referred to as the “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, on December 14th, 2020, the Village adopted Ordinance No. 2020-36 which adopted regulations to establish a licensing program for residential dwelling rentals within the Village of Bloomingdale;

WHEREAS, on June 28th, 2021, the Village adopted Ordinance No. 2021-22 which amended said regulations establishing a licensing program for residential dwelling rentals within the Village of Bloomingdale;

WHEREAS, Title 4 (Business and License Regulations) Chapter 11 (Residential Dwelling Rental Regulations) of the Village’s Code of Ordinances provides for the Village’s licensing program for residential dwelling rentals;

WHEREAS, since the licensing program’s adoption and first amendment, Village Staff has raised certain concerns to the procedures therein, and thus the Village now desires to amend the Village Code to clarify the original intent of the Corporate Authorities;

WHEREAS, the Village finds it necessary and proper pursuant to its Home Rule Powers to amend said Code and Chapter providing for the regulation and licensing of residential dwelling rental units, and reasonable safeguards to protect the public health, safety and welfare to insure against the potential hazards of inadequate or unsafe residential dwelling units offered for lease or rental, with or without compensation;

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 health, safety and welfare of the residents of the Village of Bloomingdale.

NOW, THEREFORE, BE IT ORDAINED, in an 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 this 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

Title 4 (Business and License Regulations); Chapter 11 (Residential Dwelling Rental Code), of the Village Code as amended, is hereby further amended as follows:

4-11-2: APPLICABILITY, INTERPRETATION AND IMPLEMENTATION OF REGULATIONS:

The Building and Zoning Department shall be charged with the enforcement of these regulations, and the Building Commissioner shall be known as the code enforcement

official charged with the application, interpretation, and implementation of these regulations.

These regulations shall be applicable to all residential properties in the Village that are leased or rented, which shall be defined as any residential dwelling rental unit wherein the owner or owner's agent allows an individual or individuals to possess and occupy the premises whether or not payment is provided for occupancy. All areas of the residential dwelling unit to which a tenant has the right of use or access shall be subject to inspection for compliance with the applicable codes and ordinances of the Village. Further, the licensing requirement, as provided by this Chapter, shall not apply to:

(a) any land contract, contract for sale or any other property transaction wherein the new occupant has legally committed to acquire legal title to the property and has occupied the premises within sixty (60) days of the date of the contract; or

(b) Residential Dwelling Units, as hereinafter defined, including an Apartment or Condominium Unit that is not sublet, if Property ownership provides the Building Commissioner with: (i) notarized documentation evidencing the existence of 24-hour 7 days per week site management and maintenance service; and (ii) the contact information for the parties responsible for the services provided for in the immediately aforementioned subsection (i).

4-11-6: OTHER REQUIREMENTS:

A. Rental periods; Minimum individual stay. Regardless of any other Section within this Chapter, under no circumstance shall a No property owner may be permitted to rent or lease, or allow the rental or leasing of, rent or lease a Residential Dwelling Rental Unit to a tenant for a period of less than thirty (30) days.

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.

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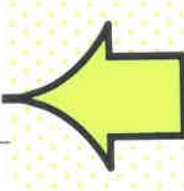
DECIDED pursuant to a roll call vote as follows:

	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	6	0	0	


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



Franco A. Coladipietro
Village President



ATTEST:



Pamela S. Hager
Village Clerk