
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

ORDINANCE
NUMBER 2020-28

**AN ORDINANCE AMENDING
TITLE 11 OF
THE VILLAGE OF BLOOMINGDALE
CODE OF ORDINANCES TO ALLOW FOR MICRO-
WINERIES AS A SPECIAL USE IN THE OLD TOWN
PRESERVATION DISTRICT**

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 9th day of November, 2020

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TITLE 11 OF
THE VILLAGE OF BLOOMINGDALE CODE OF ORDINANCES
TO ALLOW FOR MICRO-WINERIES AS A SPECIAL USE IN THE OLD TOWN
PRESERVATION DISTRICT**

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 11 (Old Town Preservation District) Section 11-11-4 (Uses); currently allows microbreweries as special uses in the Old Town District, but the Code currently does not provide for a micro-winery;

WHEREAS, the Corporate Authorities of the Village desire to allow for the operation of a micro-winery as a special use in the Old Town Preservation District; 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 Three – Amendment to Title 11

Title 11 (Zoning Regulations) Chapter 2 (Rules and Definitions) Section 11-2-2 (Definitions) shall be amended by adding the following definition:

Micro-winery: A business establishment where wine with alcoholic content is produced, fermented and aged for distribution, retail or wholesale, on or off premises with a capacity of less than 10,000 cases per calendar year and where the grapes and/or other fruit is grown in an offsite, remote location. For the purpose of this definition, a case shall be defined as twelve (12), 750 ml bottles. The establishment may include, as an ancillary use, an onsite taste testing area and other uses such as food sampling, as permitted by the Village of Bloomingdale Zoning Ordinance and/or Liquor Commissioner.

Title 11 (Zoning Regulations) Chapter 11 (Old Town Preservation District) Section 11-11-4 (Uses) shall be amended, as follows:

D. Only the following special uses may be permitted, subject to review and approval as detailed in subsection 11-11-5C of this chapter:

4. The additional following use(s) shall be permitted as special uses:
 - a. Microbreweries, as defined by section 11-2-2 of this title.
 - b. Micro-wineries, as defined by Section 11-2-2 of this title.

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.

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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 9th day of November 2020.



Franco A. Coladipietro
Village President

ATTEST:



Jane E. Michelotti
Village Clerk