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Affordable Recovery Housing v. City of Blue Island

United States District Court, N.D. Illinois, Eastern Division - November 17, 2014 - F.Supp.3d - 2014 WL 6461596

Affordable Recovery Housing (ARH) obtained a license from the Illinois Department of Human Services (DHS) to operate a Recovery Home. The DHS is charged with regulating and licensing Recovery Homes, which provide substance abuse services and housing for recovering alcoholics and substance users.

Pursuant to the statutory authority granted to it in the Alcoholism and Other Drug Abuse and Dependency Act, 20 ILCS 301 et seq., DHS enacted a comprehensive regulatory scheme regarding Recovery Homes. Under the DHS regulations, ARH is not required to install sprinkler systems for fire safety purposes in its buildings. Under the Life Safety Code adopted by the City of Blue Island, however, sprinkler systems are required. ARH challenged the City Code.

The District Court held that the DHS regulations preempt the City's Life Safety Code such that the City may not enforce its sprinkler requirements against ARH.