

ORDINANCE NO. O-19-17

AN ORDINANCE AMENDING TITLE 4 OF THE VILLAGE CODE OF CAMPTON HILLS, KANE COUNTY, ILLINOIS RELATING TO THE PROHIBITION OF ADULT USE CANNABIS BUSINESSES WITHIN THE VILLAGE

WHEREAS, the Village of Campton Hills, Kane County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois (the "*Corporate Authorities*") may from time to time amend the text of the Village Code of Campton Hills (the "*Code*") when it is determined to be in the best interests of the health, safety and welfare of the Village and its residents; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, by which the City is authorized to prohibit the location of adult use cannabis business establishments within the City; and

WHEREAS, the Village has determined that the operation of adult use cannabis business establishments would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the Village of Campton Hills; and

WHEREAS, the Corporate Authorities find that it is in the best interest of the health, safety and welfare of the residents of the Village to provide for the regulations herein specified.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois, as follows

Section 1. That the above recitals and legislative findings are found to be true and

correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Title 4 (“*Business and License Regulations*”) of the Village Code of Campton Hills, Illinois, is hereby amended by the addition of Chapter 5 (“*Adult Use Cannabis Business Establishments*”) by adding the following language to read as follows:

**CHAPTER 5
ADULT USE CANNABIS BUSINESS ESTABLISHMENTS**

4-5-1: DEFINITIONS:

The following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this section, as follows:

ADULT USE CANNABIS BUSINESS ESTABLISHMENTS: Cannabis Business Establishments include: Adult Use Cannabis Cultivation Centers, Adult Use Cannabis Craft Growers, Adult Use Cannabis Processing Organizations, Adult Use Cannabis Dispensing Organizations, Adult Use Cannabis Infuser Organizations, Adult Use Processing Organizations, and Adult Use Cannabis Transporting Organizations.

ADULT USE CANNABIS CRAFT GROWER: An Adult Use Cannabis Craft Grower is a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the definition of Craft Grower as set forth in the Cannabis Regulation and Tax Act, (P.A.101-0027), as may be amended from time-to-time, and regulations promulgated thereunder.

ADULT USE CANNABIS CULTIVATION CENTER: An Adult Use Cannabis Cultivation Center is facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the definition of Cultivation Center as set forth in the Cannabis Regulation and Tax Act, (P.A.101-0027), as may be amended from time-to-time, and regulations promulgated thereunder.

ADULT USE CANNABIS DISPENSING ORGANIZATION: An Adult Use Cannabis Dispensing Organization is a facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or Page 3 of 4 related supplies to purchasers or to qualified registered medical cannabis patients and

caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: An Adult Use Cannabis Processing Organization, or Processor, is a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as may be amended from time-to-time, and regulations promulgated thereunder.

ADULT USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: An Adult Use Cannabis Transporting Organization, or Transporter, is an organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

PERSON: A natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

4-5-2: CANNABIS BUSINESS ESTABLISHMENTS PROHIBITED:

All Adult Use Cannabis Business Establishments are prohibited from being located within the Village of Campton Hills. No person shall locate, operate, own, suffer, allow to be operated or aid, abet or assist in the operation of Adult Use Cannabis Business Establishments within the Village of Campton Hills.

4-5-3: PUBLIC NUISANCE DECLARED:

Operation of any prohibited Adult Use Cannabis Business Establishment within the Village of Campton Hills in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

4-5-4: VIOLATIONS:

Violations of this Chapter may be enforced in accordance with the provisions of Title 1,

Chapter 4 of this Village Code.

Section 3. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

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Passed this 15th day of October, 2019, pursuant to a roll call vote as follows:

	AYES	NAYES	ABSENT	ABSTAIN
Trustee Darlene Bakk	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Susan P George	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Jim McKelvie ①	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Mike Millette	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Michael O'Dwyer ②	<input checked="" type="checkbox"/>	_____	_____	_____
Trustee Wendy K. White Eagle	_____	_____	<input checked="" type="checkbox"/>	_____
President Michael Tyrrell	_____	_____	_____	_____

APPROVED this 15th day of October, 2019


Michael Tyrrell, Village President

(SEAL)

ATTEST:


Lynn Baez, Village Clerk