

ORDINANCE NO. O-19-21

**AN ORDINANCE AMENDING TITLE 1 AND TITLE 6 OF THE VILLAGE CODE OF
CAMPTON HILLS, KANE COUNTY, ILLINOIS RELATING TO
CANNABIS OFFENSES 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 (the "*Act*"), by which the City is authorized to regulate the use and possession of cannabis within the City, provided such regulations do not unreasonably prohibit the use of cannabis as authorized under the Act ; 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. Section 1-4-4 (“*Minor Offenses; Citations and Fines*”) of Chapter 4 (“*General Penalty*”) of Title 1 (“*Administration*”) of the Village Code of Campton Hills, Illinois, is hereby amended by adding the following language and deleting the stricken language as follows:

a. In the event that said payment is made within fourteen (14) days after the delivery of the citation, the following amounts shall be accepted as settlement:

| Violation Of This Code Relative To: | Fine |
|----------------------------------------------------------------------------------------------------------|-----------------------------|
| Parking | \$ 25.00 |
| Curfew | 100.00 |
| Possession of <u>non-cannabis related</u> drug paraphernalia | 250.00 |
| Possession of cannabis <u>in excess of the limits imposed by 410 ILCS 705/10-10 (40 grams and under)</u> | 250.00 |
| Underage possession or consumption of alcohol | 250.00 |
| <u>Underage possession or consumption of cannabis</u> | 100.00 250.00 LB |
| All other citations (unless provided otherwise in a specific code provision) | \$75.00 to \$750.00 |
| For all other citations, fines double for the second and subsequent offenses up to a maximum of \$750.00 | |

b. In the event that payment has not been made within fourteen (14) days after delivery of the citation and a final notice has been delivered, the following amounts shall be accepted as settlement:

| Violation Of This Code Relative To: | Fine |
|--------------------------------------------|-------------|
| Parking | \$ 50.00 |

| | |
|----------------------------------------------------------------------------------------------------------|----------------------------------|
| Curfew | 200.00 |
| Possession of <u>non-cannabis related</u> drug paraphernalia | 500.00 |
| Possession of cannabis <u>in excess of the limits imposed by 410 ILCS 705/10-10 (10 grams and under)</u> | 500.00 |
| Underage possession or consumption of alcohol | 500.00 |
| <u>Underage possession or consumption of cannabis</u> | 200.00 500 <i>hrs</i> |
| All other citations (unless provided otherwise in a specific code provision) | Fine doubles after 14 days |
| For all other citations, fines double for the second and subsequent offenses up to a maximum of \$750.00 | |

Section 3. Section 6-5-1 (“*Offenses Enumerated*”) of Chapter 5 (“*Miscellaneous Offenses*”) of Title 6 (“*Police and Public Safety*”) of the Village Code of Campton Hills, Illinois, is hereby amended by adding the following language and deleting the stricken language as follows:

6-5-1: OFFENSES ENUMERATED:

It is hereby declared that any of the following activities are unlawful:

- A. The possession, use, sale, gifting or other distribution of drug paraphernalia as defined by the Illinois statutes, except as authorized under the Cannabis Regulation and Tax Act (410 ILCS 705/1-1, et seq.).
- B. The possession, use, sale, gifting or other distribution of cannabis in violation of the Cannabis Regulation and Tax Act (410 ILCS 705/1-1, et seq.).

Section 4. 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.

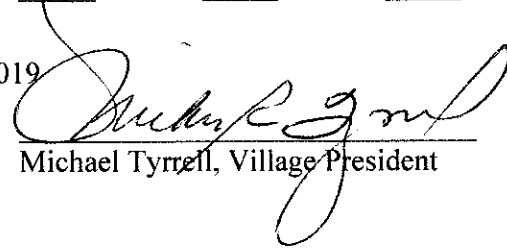
Section 5. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

Passed this 17th day of December, 2019, pursuant to a roll call vote as follows:

| | AYES | NAYES | ABSENT | ABSTAIN |
|------------------------------|--------|-------|--------|---------|
| Trustee Darlene Bakk | _____ | _____ | _____✓ | _____ |
| Trustee Susan P. George | _____✓ | _____ | _____ | _____ |
| Trustee Jim McKelvie | _____✓ | _____ | _____ | _____ |
| Trustee Mike Millette | _____✓ | _____ | _____ | _____ |
| Trustee Michael O'Dwyer | _____✓ | _____ | _____ | _____ |
| Trustee Wendy K. White Eagle | _____✓ | _____ | _____ | _____ |
| President Michael Tyrrell | _____ | _____ | _____ | _____ |

APPROVED this 17th day of December, 2019



Michael Tyrrell, Village President

(SEAL)

ATTEST:



Lynn Baez, Village Clerk