

---

---

**THE VILLAGE OF HOMER GLEN  
WILL COUNTY, ILLINOIS**

---

---

**ORDINANCE  
NUMBER 08-010**

---

---

**AN ORDINANCE ESTABLISHING POSSESSION OF  
CANNABIS PROHIBITION OF THE VILLAGE OF  
HOMER GLEN, WILL COUNTY, ILLINOIS**

---

---

**JAMES P. DALEY, Village President  
Gale Skrobuton, Village Clerk**

**MARCIA DE VIVO  
RUSSELL KNAACK  
CHRISTOPHER LOCACIUS  
MARY NIEMIEC  
MARGARET SABO  
LAUREL WARD**

**Trustees**

---

---

**AN ORDINANCE ESTABLISHING PROHIBITION OF THE POSSESSION OF CANNABIS OF THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS**

**WHEREAS**, the Village of Homer Glen, Will County, Illinois, (the “*corporate authorities*”) 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 State of Illinois, in Cannabis Control Act (720 ILCS 550/1, et seq.) and amendments thereto grants specific legislative or regulatory authority for cannabis restrictions; and

**WHEREAS**, the corporate authorities are desirous of enacting ordinances in compliance with the Constitutions of the United States and the State of Illinois; and

**WHEREAS**, the corporate authorities find it necessary and appropriate for the Village of Homer Glen to prohibit offenses against public safety and peace with respect to the prosecution of offenders found to be in possession of 2.5 grams or less of any substance containing cannabis in order to protect the public health, safety, morals and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HOMER GLEN, WILL 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.** The Village of Homer Glen, Illinois, hereby establishes the following new ordinance to read, as follows:

**Possession of cannabis.**

- (a) **Definitions.** All terms and phrases used herein shall have the same meaning as ascribed to them in the Cannabis Control Act (720 ILCS 550/1, et seq.) and amendments thereto; except, should the term “person” or “persons” be limited therein to a natural person who has attained the age of seventeen (17) years or more, said limitation is specifically excluded herein, and the term “person” or “persons” is made applicable to all natural persons.
- (b) **Offense of possession of cannabis.** A person commits the offense of possession of cannabis by knowingly possessing two and one-half (2.5) grams or less of any substance containing cannabis unless permitted or authorized to do so pursuant to the Cannabis Control Act (720 ILCS 550/1, et seq.).

- (c) Penalty. Any person violating this ordinance shall be subject to a mandatory fine of not less than one hundred (\$100.00) nor more than seven hundred fifty dollars (\$750.00), plus court costs.
  
- (d) Proceedings to enforce violations of this ordinance may be initiated and conducted in accordance with and pursuant to the provisions of the Village Ordinances providing for Administrative Adjudication of Code Violations or by any other means provided by law.

**SECTION 2:** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

**SECTION 3:** All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4:** If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion or order or parts thereof, the most restrictive or highest standard shall prevail.

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Adopted this 26<sup>th</sup> day of February, 2008 pursuant to a roll call vote as follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
De Vivo	X			
Knaack	X			
Locacius	X			
Niemiec	X			
Sabo	X			
Ward	X			
Daley (Village President)	-			
<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>-</b>

**APPROVED** by the Village President on February 26, 2008.

---

James P. Daley  
Village President

ATTEST:

---

Gale Skroboton  
Village Clerk