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

**ORDINANCE
NUMBER 09-068**

**AN AMENDMENT TO ORDINANCE 08-010 ENTITLED
AN ORDINANCE ESTABLISHING PROHIBITION OF
THE POSSESSION OF CANNABIS IN THE VILLAGE
OF HOMER GLEN, WILL COUNTY, ILLINOIS**

**JAMES P. DALEY, Village President
GALE SKROBUTON, Village Clerk**

**MICHAEL COSTA
RUSSELL KNAACK
MARY NIEMIEC
MARGARET SABO
LAUREL WARD
GEORGE YUKICH**

Trustees

AN AMENDMENT TO ORDINANCE 08-010 ENTITLED AN ORDINANCE
ESTABLISHING PROHIBITION OF THE POSSESSION OF CANNABIS IN
THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS

WHEREAS, the Village of Homer Glen, Will County, Illinois (the “*Village*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “*Home Rule Powers*”); and

WHEREAS, the State of Illinois, in the Cannabis Control Act (720 ILCS 550/1, et seq.) and amendments thereto provides specific legislative or regulatory authority for cannabis restrictions; and

WHEREAS, the corporate authorities are desirous of enacting ordinances in compliance with the Constitution 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 the offenses against public safety and peace with respect to the prosecution of offenders found to be in possession of less than 10.0 grams 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, by and through its Home Rule Powers, 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. Amendments: Sections 2(b) and 2(c) of Ordinance 08-010 is hereby amended to read as follows:

- 2(b) **Offense of possession of cannabis.** A person commits the offense of possession of cannabis by knowingly possessing less than ten (10.0) grams of any substance containing cannabis unless permitted or authorized to do so pursuant to the Cannabis Control Act (720 ILCS 550/1, et seq.).
- 2(c) **Penalty.** Any person violating this Ordinance shall be subject to a mandatory fine of not less than two hundred dollars (\$200.00) nor more than one thousand five hundred dollars (\$1,500.00), plus administrative costs in an amount of fifty dollars (\$50.00).

Section 3. 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 4. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. 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 6. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Adopted this 10th day of November, 2009 pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Costa	X			
Knaack	X			
Niemiec	X			
Sabo	X			
Ward	X			
Yukich	X			
Daley (Village President)				
TOTAL	6	0	-	-

APPROVED by the Village President on NOVEMBER 10, 2009.

James P. Daley
Village President

ATTEST:

Gale Skrobuton
Village Clerk