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

**ORDINANCE
NUMBER 20-022**

**AN ORDINANCE AMENDING
POSSESSION OF CANNABIS [ARTICLE VI
POSSESSION OF CANNABIS OF CHAPTER 155
(PUBLIC SAFETY) OF THE CODE OF THE
VILLAGE OF HOMER GLEN]**

**GEORGE YUKICH, Village President
CHRISTINA NEITZKE-TROIKE, Village Clerk**

**BROQUE BACKAL
CARLO CAPRIO
KEITH GRAY
RUBEN PAZMINO
BETH RODGERS
SHARON SWEAS**

Trustees

AN ORDINANCE AMENDING POSSESSION OF CANNABIS [ARTICLE VI
POSSESSSION OF CANNABIS OF CHAPTER 155 (PUBLIC SAFETY) OF THE
CODE OF THE VILLAGE OF HOMER GLEN

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 Regulation and Tax Act (410 ILCS 705/1-1 et sq.) 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.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS, THAT:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as if fully set forth herein.

Section 2. Amending Article VI Possession of Cannabis §155-24, §155-25, and §155-26 of the Code of the Village of Homer Glen, Illinois, hereby to read as follows:

§ 155-24. Definitions.

All terms and phrases used herein shall have the same meanings as ascribed to them in the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) and amendments thereto.

§ 155-25. Cannabis Offenses defined.

A. Possession Limits for Illinois Residents. Except if otherwise authorized by the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.), for a person who is 21 years of age or older and a resident of this State, the possession limit is as follows:

- (1) No more than 30 grams of cannabis flower;
- (2) No more than 500 milligrams of THC contained in cannabis-infused product;
- (3) No more than 5 grams of cannabis concentrate; and

- (4) For registered qualifying patients, any cannabis produced by cannabis plants grown under subsection (b) of Section 10-5 of the Cannabis Regulation and Tax Act (410 ILCS 705/10-5), provided any amount of cannabis produced in excess of 30 grams of raw cannabis or its equivalent must remain secured within the residence or residential property in which it was grown.
- B. Possession Limits for Non-Residents. For a person who is 21 years of age or older and who is not a resident of this State, the possession limit is:
- (1) No more than 15 grams of cannabis flower;
 - (2) No more than 2.5 grams of cannabis concentrate; and
 - (3) No more than 250 milligrams of THC contained in a cannabis-infused product.
- C. The possession limits found in subsections (A) and (A) of this Section are to be considered cumulative.
- D. No person shall knowingly obtain, seek to obtain, or possess an amount of cannabis from a dispensing organization or craft grower that would cause him or her to exceed the possession limit under this Section, including cannabis that is cultivated by a person under this Act or obtained under the Compassionate Use of Medical Cannabis Program Act.
- E. Possession of cannabis under 21. No person under the age of twenty-one (21) years old shall possess cannabis, its concentrate, or derivative in any form.
- F. Possession in Specific Locations prohibited. No person shall possess cannabis, its concentrate, or derivative in any form, in the following any of the following places:
- (1) school bus;
 - (2) on the grounds of any preschool or primary or secondary school;
 - (3) in a vehicle not open to the public unless the cannabis is in a reasonably secured, sealed container and reasonably inaccessible while the vehicle is moving; or
 - (4) in private residences which are used at any time to provide licensed child care or other similar social service care.
- G. Consumption of cannabis under 21 prohibited. No person under the age of twenty-one (21) years old shall consume cannabis, its concentrate, or derivative in any form.
- H. Consumption Prohibited in Specific Locations. No person shall use or otherwise consume cannabis in any form in any of the following places:
- (1) in a school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act;
 - (2) on the grounds of any preschool or primary or secondary school, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act;
 - (3) in any correctional facility;
 - (4) in any motor vehicle;

- (5) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises;
 - (6) in any public place; or
 - (7) knowingly in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient under the Compassionate Use of Medical Cannabis Pilot Program Act.
- I. *Cultivation Prohibited*. Cultivation of any form of cannabis is prohibited except as when such cultivation is in compliance with Section 10-5(b) of the Cannabis Regulation and Tax Act (410 ILCS 705/10-5).
- J. *Possession of Cannabis Plants in Violation of 720 ILCS 550/8*. No person shall possess more than five (5) of the Cannabis plant, as set for in Section 8 of the Cannabis Control Act (720 ILCS 550/8).

§ 155-26. Penalty. [Amended 11-10-2009 by Ord. No. 09-068]

Any person violating this article shall be subject to a mandatory fine of not less than \$200 nor more than \$1,000, plus administrative costs in an amount of \$50.

Section 3. Severability. The various portions of this Ordinance are hereby declared to be severable. 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. Repealer. All other Ordinances or parts of other Ordinances previously passed or adopted by the Village of Homer Glen that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. Effective Date. 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 June, 2020 pursuant to a roll call vote as follows:

| | YES | NO | ABSENT | PRESENT |
|----------------------------|-----|----|--------|---------|
| Backal | X | | | |
| Caprio | X | | | |
| Gray | X | | | |
| Pazmino | X | | | |
| Rodgers | X | | | |
| Sweas | X | | | |
| Yukich (Village President) | | | | |
| TOTAL | 6 | | | |

APPROVED by the Village President on June 10, 2020.



 George Yukich
 Village President

ATTEST:


 Christina Neitzke-Troiike
 Village Clerk