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

**ORDINANCE
NUMBER 19-053**

**AN ORDINANCE AMENDING
THE VILLAGE OF HOMER GLEN
VILLAGE CODE BY THE ADDITION OF
CHAPTER 155, ARTICLE XI
PROHIBITING CANNABIS BUSINESS ESTABLISHMENTS**

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

**BRIAN BURIAN
KEITH GRAY
ANN HOLTZ
RUBEN PAZMINO
BETH RODGERS
SHARON SWEAS**

Trustees

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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 Village of Homer Glen has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the Village has the authority to prohibit adult-use cannabis business establishments and pursuant to its Home Rule Powers; and

WHEREAS, the Village has determined that the operation of 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.

NOW, THEREFORE, BE IT ORDAINED by the Village 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. Incorporation of Recitals. The above recitals are hereby declared to be true and correct and findings of the Village Board of the Village of Homer Glen and are incorporated herein as if set forth in this Section 1.

Section 2. Cannabis Business Establishments Prohibited. Chapter 155 of the Village Code of the Village of Homer Glen be and the same is amended with the addition of the following language as Article XI that will read as follows:

ARTICLE XI. CANNABIS BUSINESS ESTABLISHMENTS PROHIBITED

§155-46. Definitions. The following words and phrases shall, for the purposes of this Article, have the meanings respectively ascribed to them by this section, as follows:

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT: A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

ADULT-USE CANNABIS CRAFT GROWER: 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 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 CULTIVATION CENTER: A 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 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 DISPENSING ORGANIZATION: 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 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 it 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: 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 it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: 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: Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

§155-47. Cannabis Business Establishments Prohibited. The following Adult-Use Cannabis Business Establishments are prohibited in the Village of Homer Glen. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the Village of Homer Glen of any of the following:

Adult-Use Cannabis Craft Grower
Adult-Use Cannabis Cultivation Center

Adult-Use Cannabis Dispensing Organization
Adult-Use Cannabis Infuser Organization or Infuser
Adult-Use Cannabis Processing Organization or Processor
Adult-Use Cannabis Transporting Organization or Transporter

§155-48. Public Nuisance Declared. Operation of any prohibited Cannabis Business Establishment within the Village in violation of the provisions of this Article is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

§155-49. Penalty. Any person violating this article shall be fined not less than \$100 nor more than \$1,000. Each day that a violation exists shall constitute a separate offense.

Section 3. Severability. 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.

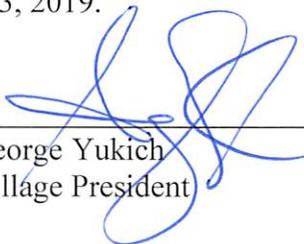
Section 4. Repealer. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date and Duration. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Adopted this 13th day of November, 2019 pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Burian	X			
Gray	X			
Holtz		X		
Pazmino	X			
Rodgers	X			
Sweas	X			
Yukich (Village President)				
TOTAL	5	1		

APPROVED by the Village President on November 13, 2019.


George Yukich
Village President

ATTEST:

Christina Neitzke-Troike
Village Clerk

