

ORDINANCE NO. 20-06

**AN ORDINANCE MAKING AMENDMENTS REGARDING CANNABIS BUSINESSES
TO TITLE 3 OF THE MORTON MUNICIPAL CODE**

WHEREAS, the Morton Municipal Code was adopted on March 2, 1970, and duly published in book form; and

WHEREAS, on June 25, 2019, the State of Illinois adopted the Cannabis Regulation and Tax Act as Public Act 101-0027; and

WHEREAS, paragraph 5 of Section 55-25 of the Cannabis Regulation and Control Act authorizes units of local government to “enact ordinances to prohibit or significantly limit a cannabis business establishment’s location;” and

WHEREAS, the Corporate authorities of the Village of Morton in exercise of the power reserved to them under the Cannabis Regulation and Tax Act desire to adopt certain regulations to prohibit the location of cannabis business establishments within the Village of Morton.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, Tazewell County, Illinois, that Title 3 of the Morton Municipal Code is hereby amended by inserting a new Chapter 29 which shall be as follows:

**CHAPTER 29
CANNABIS BUSINESS ESTABLISHMENTS**

3-29-1: DEFINITIONS. For the purpose of this Chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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

CRAFT GROWER: A facility operated by an organization or business that is licensed by the 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.

CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Department of Agriculture to cultivate, process, transport (unless otherwise limited by the Cannabis Regulation and Tax Act), and perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments.

DISPENSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Department of Financial and Professional Regulation to acquire cannabis from a cultivation center, craft grower, processing organization, or another dispensary for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia, or related supplies under this Act to purchasers or to qualified registered medical cannabis patients and caregivers. As used in this Chapter dispensing organization shall include a registered medical cannabis organization as defined in the Compassionate Use of Medical Cannabis Pilot Program Act or its successor Act that has obtained an Early Approval Adult Use Dispensing Organization License.

PROCESSING ORGANIZATION: A facility operated by an organization or business that is licensed by the 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.

TRANSPORTING ORGANIZATION: An organization or business that is licensed by the Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under Community College Cannabis Vocational Training Pilot Program.

3-29-2: CANNABIS BUSINESS ESTABLISHMENTS PROHIBITED. Pursuant to the authority reserved to the Village of Morton under Section 55-25 of the Cannabis Regulation and Tax Act, the Village of Morton does hereby prohibit all cannabis business establishments within the Village of Morton. No cannabis business establishment may operate within the Village of Morton at any time.

3-29-3: PENALTY. Failure to comply with any requirements of this Chapter shall constitute a violation; and any person, upon conviction thereof, shall be fined no less than \$250.00 but no more than \$750.00 for each offense. Each day the violation continues shall constitute a separate offense.

BE IT FURTHER ORDAINED that if any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect 10 days after publication thereof as provided by law.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton this ____ day of _____, 2019; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this ____ day of _____, 2019.

President

ATTEST:

Village Clerk