

FILED

NOV 08 2019

Don J. Hany
Sangamon County Clerk

RECEIVED
2669

NOV _ 4 2019

RESOLUTION NO. 20-1

Andy Goleman
SANGAMON COUNTY AUDITOR

**A RESOLUTION AMENDING THE SANGAMON COUNTY CODE
BY THE ADDITION OF CHAPTER 5.32
PROHIBITING CANNABIS BUSINESS ESTABLISHMENTS**

WHEREAS, Sangamon County (County) has the authority to adopt resolutions and to promulgate rules and regulations that protect the public health, safety and welfare of its citizens; and

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

WHEREAS, the County 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 County; and

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, in session this 12th day of November, 2019 that Title 5 of the Sangamon County Code shall be amended by the addition of Chapter 5.32 that will read as follows:

CHAPTER 5.32 Cannabis Business Establishments Prohibited.

5.32.010 Definitions - The following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this section, as follows:

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

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 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 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.

5.32.020 - Cannabis Business Establishments Prohibited. The following Adult-Use Cannabis Business Establishments are prohibited in unincorporated Sangamon County. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within unincorporated Sangamon County of any of the following:

- Adult-Use Cannabis Dispensing Organization
- Adult-Use Cannabis Infuser Organization or Infuser
- Adult-Use Cannabis Processing Organization or Processor
- Adult-Use Cannabis Craft Grower
- Adult-Use Cannabis Cultivation Center
- Adult-Use Cannabis Transporting Organization or Transporter

5.32.030 - Public Nuisance Declared. Operation of any prohibited Cannabis Business Establishment within unincorporated Sangamon County in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

5.32.040 - Violations. Violations of this Chapter may be enforced in accordance with the provisions of Chapter 5.30 of this Code.

5.32.050 - Severability. If any provision of this Resolution, or the application of any provision of this resolution, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Resolution, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Resolution.




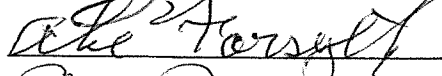

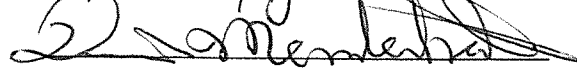
5.32.060 - Effective Date. This Resolution shall be in full force and effect from and after its passage and approval and publication as required by law.

Chairman, County Board

ATTEST:

County Clerk

Approved by the Public Health, Solid Waste and Zoning Committee

	_____
	_____
	_____
	_____
	_____
	_____
_____	_____