

RESOLUTION NO. 8-1

**A RESOLUTION AMENDING THE SANGAMON COUNTY CODE
BY THE ADDITION OF CHAPTER 5.32
ALLOWING 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 Section 55-25 of the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/55-25, herein the “Act,” which provides that the County has the authority to enact ordinances which regulate cannabis business establishments provided that the ordinances are not in conflict with the Act or rules adopted pursuant to the Act; and

WHEREAS, given the recent enactment of the Act, the County has determined that allowing the operation, with certain restrictions as set forth herein, of cannabis businesses in unincorporated Sangamon County is warranted.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, in session this 10th day of December, 2019, that Title 5 of the Sangamon County Code shall be amended by the addition of Chapter 5.32, which will read as follows:

CHAPTER 5.32 Cannabis Business Establishments Allowed.

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

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Andy Goleman
SANGAMON COUNTY CLERK

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 Allowed. The following Adult-Use Cannabis Business Establishments are allowed in unincorporated Sangamon County:

- 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

5.32.021 – Number of Allowed Adult-Use Cannabis Dispensing Organizations. The number of Adult-Use Cannabis Dispensing Organizations allowed in unincorporated Sangamon County shall be limited to two.

5.32.022 – Prohibition of On-Premises Consumption of Cannabis at Cannabis Dispensing Organizations. The on-premises consumption of cannabis at cannabis dispensing organizations in unincorporated Sangamon County is prohibited.

5.32.030 – Public Nuisance Declared. Operation of any 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

Sam Small

Liz Hill

Annex Fulger
C.R.H. (NO)

Jason Ross

Chloe Forsyth

Wanda Douglas -

Williams

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Don King
Sangamon County Clerk
