

Ordinance No. 2020-08

**AN ORDINANCE AMENDING TITLE 6 (POLICE REGULATIONS),
CHAPTER 2 (MISCELLANEOUS OFFENSES), SECTION 12 (POSSESSION
OF MARIJUANA) AND SECTION 13 (POSSESSION OF DRUG PARAPHERNALIA),
OF THE GENEVA CITY CODE**

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act (Act) which pertains to the possession, use, cultivation, transportation, and dispensing of cannabis, which became effective June 25, 2019; and

WHEREAS, the City of Geneva, Illinois has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, KANE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 6 (Police Regulations), Chapter 2 (Miscellaneous Offenses) Section 12 (Possession of Marijuana) is hereby amended by deleting and replacing the section, instantter, the following:

6-2-12: -POSESSION OF MARIJUANA

- A. It is unlawful to possess or use cannabis on a school bus, grounds of a pre-school, primary or secondary school, unless used by a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Program Act;
- B. It shall be unlawful to possess or use cannabis in a private residence used at any time to provide licensed childcare;
- C. It shall be unlawful to use cannabis in any motor vehicle, in any public place, or in any place where smoking is prohibited under the Smoke Free Illinois Act;
- D. It shall be unlawful to facilitate the use of cannabis by a person not allowed to use cannabis under the Cannabis Regulations and Tax Act;
- E. It shall be unlawful to knowingly use cannabis in close proximity to anyone under the age of 21 who is not a registered medical cannabis patient under the Compassionate Medical Cannabis Program Act;
- F. It shall be unlawful to grow cannabis unless authorized by the Compassionate Use of Medical Cannabis Program;

repackaging, storing, containing, concealing, injecting, inhaling, or otherwise introducing into the human body, any controlled substance, including any and all articles listed in the Illinois Drug Paraphernalia Act, 720 Illinois Compiled Statutes 600, as amended.

- B. It is unlawful for any person, under 21 years of age, to have, possess, sell, or give away, any instrument adapted for the use of smoking, inhaling, ingesting, or otherwise introducing cannabis into the body, or used in the preparation of cannabis. The possession of any instrument for use with cannabis permitted under 410 ILCS 130/25 shall not be deemed a violation of this section.
- C. Any person, firm or corporation violating any provision of this section may satisfy the civil law violation, without a court appearance, by admitting to the violation and the payment of three hundred dollars (\$300.00). Otherwise, the fine shall be five hundred dollars (\$500.00), plus court costs.

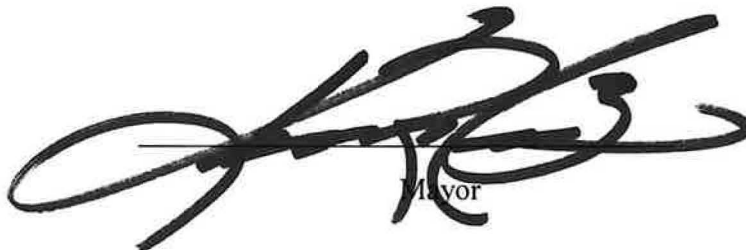
SECTION 3: That Title 6 of the Geneva City Code as heretofore and hereinabove amended shall otherwise remain in full force and effect.

SECTION 4: This Ordinance shall become effective from and after its publication as in accordance with Law. Publication of the Ordinance is hereby approved to be in pamphlet form.

PASSED by the City Council of the City of Geneva, Kane County, Illinois, this 2rd day of March, 2020.

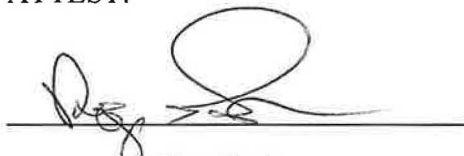
AYES: 10 NAY: 0 ABSENT: 0 ABSTAINING: 0 HOLDING OFFICE: 10

APPROVED by me as Mayor of the City of Geneva, Kane County, Illinois, this ___ day of March, 2020.



Mayor

ATTEST:



City Clerk