

CITY OF PEKIN

ORDINANCE NO. 2860-19/20

**AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF PEKIN TO
IMPOSE REGULATIONS REGARDING THE ESTABLISHMENT OF ADULT-USE
AND MEDICAL CANNABIS BUSINESS IN PUD DISTRICTS
TITLE 9, CHAPTER 8A, SECTION 3, SUBSECTION G.**

PASSED BY THE CITY COUNCIL
OF THE CITY OF PEKIN
THE 10TH DAY OF FEBRUARY 2020

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY
COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS,
THIS 10TH DAY OF FEBRUARY 2020

EFFECTIVE FEBRUARY 20, 2020

ORDINANCE NO. 2860 – 19/20

**AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF PEKIN TO
IMPOSE REGULATIONS REGARDING THE ESTABLISHMENT OF
ADULT-USE AND MEDICAL CANNABIS BUSINESSES IN PUD DISTRICTS**

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Pekin, as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, the City of Pekin has enacted a Zoning Code for establishing municipal zoning regulations for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people and its citizens; and

WHEREAS, Pursuant to the Cannabis Regulation and Tax Act and Compassionate Use of Medical Cannabis Program Act, the City has previously adopted Ordinance No. 1568-A212-19/20, to regulate the time, place, manner, and number of adult-use and medical cannabis business establishments within the City; and

WHEREAS, the City has initiated an amendment to the City's Zoning Code (Title 9 of the City Code) to regulate the use of adult-use, recreational cannabis at businesses and facilities in designated PUD zones within the City, to the extent such zones constitute a separate and distinct zoning classification; and

WHEREAS, the Planning Commission for the City of Pekin conducted a public hearing, as required by law, on February 5, 2020, regarding the proposed amendments to the City's Zoning Code pertaining to adult-use recreational cannabis and medical cannabis businesses in PUD zones; and

WHEREAS, the Planning Commission has recommended approval of the proposed amendments to the City's Zoning Code after holding the required public hearing and then considering the proposed amendments to the City's Zoning Code as set forth herein; and

WHEREAS, the City Council hereby finds that it is in the best interests of the City and its citizens that the Zoning Code regulations set forth herein be established for regulating adult-use recreational cannabis and medical cannabis businesses and the use of adult-use recreational cannabis in PUD zones;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Title 9, Chapter 8A, Section 3 of the City of Pekin, Illinois, Municipal Code is amended by the addition of a new subsection G, as follows:

- G. Cannabis Business Establishments, subject to the conditions and procedures set forth in Chapter 10C of this Title.

Section 3. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this 10th day of February, 2020; and upon roll call the vote was as follows:

AYES: Abel, Orrick, Hilst, Nutter and Luft.

NAYS: None

ABSENT: Hohimer

ABSTAINING: Garrison

APPROVED this 10th day of February, 2020

Frank A. Luft
Mayor

ATTEST:

Sue M. McMillan
City Clerk

CERTIFICATE

THE UNDERSIGNED CERTIFIES THAT SHE IS THE CITY CLERK FOR THE CITY OF PEKIN, ILLINOIS, AND THAT THE CITY COUNCIL AT A REGULARLY CONSTITUTED MEETING OF SAID CITY COUNCIL OF THE CITY OF PEKIN ON THE 10th DAY OF February, 2020 ADOPTED ORDINANCE NO. 2860-19/20 A TRUE AND CORRECT COPY OF WHICH IS CONTAINED IN THIS PAMPHLET

GIVEN UNDER MY HAND AND SEAL THIS 10th DAY OF February, 2020

(SEAL)

Sue V. McMillan
CITY CLERK