

PUBLISHED IN PAMPHLET FORM FOR THE FOLLOWING:

ORDINANCE 22-002

TITLED:

AMENDING CHAPTER 12: "BUSINESSES" OF THE BOLINGBROOK VILLAGE CODE TO
LICENSE AND REGULATE CANNABIS BUSINESS ESTABLISHMENTS IN THE VILLAGE
OF BOLINGBROOK

VILLAGE CLERK
VILLAGE OF BOLINGBROOK

PREPARED BY & MAIL TO:

VILLAGE CLERK'S OFFICE
VILLAGE OF BOLINGBROOK
375 W. BRIARCLIFF RD.
BOLINGBROOK, IL 60440

ORDINANCE 22-002

AMENDING CHAPTER 12: "BUSINESSES" OF THE BOLINGBROOK VILLAGE CODE TO LICENSE AND REGULATE CANNABIS BUSINESS ESTABLISHMENTS IN THE VILLAGE OF BOLINGBROOK

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1 et. seq., allows municipalities to impose reasonable regulations upon cannabis business establishments within their jurisdiction; and

WHEREAS, the Mayor and Board of Trustees believe it to be in the best interest of the residents of the Village to amend the Bolingbrook Village Code to license and regulate cannabis business establishments.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The Mayor and Board of Trustees find as facts the recitals hereinabove set forth.

SECTION TWO: Section 12-75 "Cannabis business establishments prohibited" of the Bolingbrook Village Code is hereby amended by eliminating the stricken language and adding the underlined language as follows:

Sec. 12-75. Cannabis business establishments prohibited. Reserved.

~~(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:~~

~~Adult-use cannabis business establishment means a cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.~~

~~Adult-use cannabis craft grower means a facility operated by an organization or business that is licensed by the state 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, 410 ILCS 705/1-1 et seq., and regulations promulgated thereunder.~~

~~Adult-use cannabis cultivation center means a facility operated by an organization or business that is licensed by the state 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, 410 ILCS 705/1-1 et seq., and regulations promulgated thereunder.~~

~~Adult-use cannabis dispensing organization means a facility operated by an organization or business that is licensed by the state 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, 410 ILCS 705/1-1 et seq., and regulations promulgated thereunder.~~

~~Adult-use cannabis infuser organization or infuser means a facility operated by an organization or business that is licensed by the state 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, 410 ILCS 705/1-1 et seq., and regulations promulgated thereunder.~~

~~Adult-use cannabis processing organization or processor means a facility operated by an organization or business that is licensed by the state 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, 410 ILCS 705/1-1 et seq., and regulations promulgated thereunder.~~

~~Adult-use cannabis transporting organization or transporter means an organization or business that is licensed by the state 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, 410 ILCS 705/1-1 et seq., and regulations promulgated thereunder.~~

~~(b) Cannabis business establishments prohibited. The following adult-use cannabis business establishments are prohibited in the village. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the village any of the following:~~

- ~~(1) Adult-use cannabis craft grower.~~
- ~~(2) Adult-use cannabis cultivation center.~~
- ~~(3) Adult-use cannabis dispensing organization.~~

- ~~(4) Adult use cannabis infuser organization or infuser.~~
- ~~(5) Adult use cannabis processing organization or processor.~~
- ~~(6) Adult use cannabis transporting organization or transporter.~~
- ~~(c) *Public nuisance declared.* Operation of any prohibited cannabis business establishment within the village in violation of the provisions of this section is hereby declared a public nuisance and shall be abated pursuant to all available remedies.~~
- ~~(d) *Violations.* Violations of this section may be enforced in accordance with the provisions of section 54-6.~~

SECTION THREE: Article III “Specific Businesses” of Chapter 12 “Businesses” of the Bolingbrook Village Code is hereby amended by adding the following Division:

DIVISION 8 – CANNABIS BUSINESS ESTABLISHMENTS

Sec. 12-410. DEFINITIONS.

ACT: the Cannabis Regulation and Tax Act of Illinois and any subsequent amendments, 410 ILCS 705/1 et. seq.

ADVERTISE: to engage in promotional activities including, but not limited to, newspaper, radio, internet and electronic media, and television advertising, the distribution of fliers and circulars, billboard advertising and the display of window and interior signs. “Advertise” does not mean exterior signage displaying only the name of the licensed cannabis business establishment.

AGENT IN CHARGE: as required by the Act, a full-time agent or principal officer of the cannabis business establishment that is responsible for opening and closing the establishment, delivery acceptance, oversight of sales and agents, recordkeeping, inventory, training, and compliance with State and local law.

APPLICANT: An individual or business seeking an Adult-Use Cannabis Business Registration Certificate from the Village or a renewal of said Certificate.

CANNABIS: Marijuana, hashish, and other substances that are identified as including any parts of the plant *Cannabis sativa* and including derivatives or subspecies, such as *indica*, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, “cannabis” does not include the mature

stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil, or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means cannabis flower, concentrate and cannabis-infused products.

CANNABIS BUSINESS ESTABLISHMENT: An adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization, transporting organization, or social use space.

CANNABIS BUSINESS LICENSE: An authorization permitting the cannabis business establishment to operate within the Village.

CANNABIS CONCENTRATE: A product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC), from the plant through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO₂, ethanol, or isopropanol and with the intended use of smoking or making a cannabis-infused product. The use of any other solvent is expressly prohibited unless and until it is approved by the Department of Agriculture.

CANNABIS CONTAINER: A sealed, traceable, container, or package used for the purpose of containment of cannabis or cannabis-infused product during transportation.

CANNABIS CONTROL COMMISSIONER: the Village Official with the authority to oversee and implement the provisions of this Section, including the awarding, suspension and revocation of cannabis business licenses. The Cannabis Control Commissioner shall be the Mayor or his or her designee.

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 Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

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 Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

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 Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS FLOWER: marijuana, hashish, and other substances that are identified as including any parts of the plant *Cannabis sativa* and including derivatives or subspecies, such as *indica*, of all strains of cannabis; including raw kief, leaves, and buds, but not resin that has been extracted from any part of such plant; nor any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin.

CANNABIS-INFUSED PRODUCT: A beverage, food, oil, ointment, tincture, topical formulation, or another product

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 Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS PARAPHERNALIA: equipment, products and materials which are intended to be used for planting, propagating, cultivating, growing, harvesting, manufacturing, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting or otherwise introducing cannabis into the human body.

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 Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

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 Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CLONE: a plant section from a female cannabis plant not yet rootbound, growing in a water solution or other propagation matrix, that is capable of developing into a new plant.

LIMITED ACCESS AREA: a building, room, or other area under the control of a cannabis dispensing organization licensed under the Act and upon the licensed premises with access limited to purchasers, dispensing organization owners and other dispensing organization agents, or service professionals conducting business with the dispensing organization.

MINOR: Any individual under the age of twenty-one (21) years old.

ORDINARY PUBLIC VIEW: within the sight line with normal visual range of a person, unassisted by visual aids, from a public street or sidewalk adjacent to real property, or from within an adjacent property.

PERSON: a natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

TINCTURE: a cannabis-infused solution, typically comprised of alcohol glycerin, or vegetable oils, derived either directly from the cannabis plant or from a processed cannabis extract. A tincture is not an alcoholic liquor as defined in the Liquor Control Act of 1934. A tincture shall include a calibrated dropper or other similar device capable of accurately measuring servings

Sec. 12-411. PURPOSE

It is the intent of this Division to identify all cannabis business establishments within the Village to ensure efficient delivery of Village services and compliance with all social equity provisions, zoning, building, fire and other applicable ordinances and regulations.

Sec. 12-412: CANNABIS BUSINESS LICENSE REQUIRED

- (a) All cannabis business establishments must receive a business license from the Village in order to operate.
- (b) Separate business licenses are required for each location and each cannabis business establishment operating within the Village.

- (c) The licensing requirement shall be in addition to, and not in lieu of, any licensing and permitting requirements imposed by any other Federal, State, or local law.
- (d) A cannabis business license is not transferable or assignable, including without limitation, nontransferable to a different location, to a different type of business, to a different cannabis business classification, or to a different owner. The cannabis business license will only be issued to the state license holder.
- (e) By receiving a cannabis business license from the Village, the cannabis business establishment consents to all inspections by the Village that are necessary to ensure that the cannabis business establishment is maintained and operated in compliance with all applicable ordinances and regulations and in accordance with the information contained in the cannabis business establishment's business license application.
- (f) Cannabis business licenses shall be limited as follows:

| License Type | Number |
|-----------------------------|--------|
| Cannabis Cultivation Center | 0 |
| Cannabis Craft Grower | 0 |
| Cannabis Infuser | 0 |
| Cannabis Transporter | 3 |
| Cannabis Dispensary | 3 |

Sec. 12-413. APPLICATION. A cannabis business establishment must apply for and obtain a special use permit from the Planning Board and a state issued cannabis license before it may apply for a Village Business License. Each cannabis business establishment shall complete a written application, provided by the Village Clerk, which must contain the following:

(1) Applicant Information:

If the applicant is an Individual: the name, date of birth, home address, telephone number, email address, and a copy of a valid state identification of the person registering the business.

If the applicant is a Partnership/Noncorporate Entity: the name, date of birth, home address, telephone number, email address, and a copy of a valid state identification for each partner, principal or member thereof.

If the applicant is a Corporation: the name, date of birth, home address, telephone number, email address, and a copy of a valid state identification of each principal officer and registered agent thereof.

- (2) The legal name of the cannabis business establishment and any other names it may operate under.
- (3) The classification, physical location, telephone number, and internet address of the cannabis business establishment.
- (4) The volume of cannabis the establishment is authorized to store or cultivate.
- (5) A copy of all documents submitted to the appropriate State agency for issuance of a State license.
- (6) A copy of the cannabis business establishment's State issued license and a statement as to whether the cannabis business establishment is a qualified social equity applicant by the State of Illinois.
- (7) A copy of the special use permit issued by the Village Board of Trustees.
- (8) A copy of the site plan as submitted to the Plan Commission.
- (9) The hours of operation for the cannabis business establishment.
- (10) The name, address, date of birth, and copy of State issued Agent Identification for the designated agent in charge.
- (11) The property owner's name, address, telephone number and email address and a valid copy of the lease agreement if applicable.
- (12) Proof of adequate insurance coverage for liability, worker's compensation, tenant or owners insurance for the premises and equipment.
- (13) Nonrefundable application fee of \$500. The application fee is in addition to all other fees imposed by State law and Village Ordinance.

Sec. 12-414. ISSUANCE OF CANNABIS BUSINESS LICENSE

- (1) Once the Village Clerk determines that the Cannabis Business License Application is complete, he or she shall forward the application to the Building Commissioner and the Chief of Police for investigation.
 - a. The Building Commissioner shall cause an inspection of the premises for compliance with all applicable laws, including the building, electrical, plumbing, health, housing, zoning and fire codes of the Village, and any other regulations of the Village relating to the public health, safety and welfare.

b. The Chief of Police shall investigate the applicant's personal and criminal history.

(2) The application materials, inspectional reports, background information and any other relevant information shall be forwarded to the Cannabis Control Commissioner who shall issue a cannabis business license if the cannabis business complies with all applicable provisions of this chapter. If the Cannabis Control Commissioner denies the cannabis business license, he or she must notify the applicant in writing within 14 days.

(3) The Fees for Cannabis Business Licenses are as follows:

| License Type | License Fee |
|-----------------------------|-------------|
| Cannabis Cultivation Center | \$10,000 |
| Cannabis Craft Grower | \$7,500 |
| Cannabis Infuser | \$7,500 |
| Cannabis Transporter | \$2,500 |
| Cannabis Dispensary | \$5,000 |

Sec. 12-415. REVOCATION OR SUSPENSION OF CANNABIS BUSINESS LICENSE. The Cannabis Control Commissioner may deny, refuse to renew, suspend or revoke a cannabis business license for any of the following reasons:

- (1) Fraud, misrepresentation of material fact, or false statement on the application for a cannabis business license or any subsequent renewal.
- (2) Failure to inform the Village of any changes to the information contained in the application for a cannabis business license.
- (3) Any outstanding debt owed to the Village by the cannabis business establishment or any of its owners, partners, officers, or board members, including any taxes, fees, or penalties.
- (4) Any violation of the laws of the State of Illinois or any Village Ordinance.
- (5) Revocation or suspension of the establishment's State Cannabis Business license.
- (6) Any violation of the terms of the establishment's special use permit.

- (7) Operating without a cannabis business license.
- (8) A pattern of conduct that demonstrates incompetence or that the cannabis business establishment has engaged in conduct or actions that would constitute grounds for discipline under the Adult-Use Cannabis Regulation and Taxation Act.
- (9) Refusing to allow the Cannabis Control Commissioner, his or her designee, or any member of law enforcement or code enforcement to enter and inspect the establishment, or refusing to cooperate in an investigation.
- (10) Any fact or condition that, if had existed at the time of the original completion of the application for a cannabis business license would have warranted the denial of the certificate of registration.
- (11) Any material breach of a Cannabis Business Impact Agreement.

Sec.12-416. NOTICE AND HEARING.

- (a) Prior to taking any adverse action against a cannabis business license, and at least fourteen days prior to hearing, the Cannabis Control Commissioner shall issue by regular and electronic mail to the addresses listed on the application for a cannabis business license, a written notice of hearing. The written notice shall contain the charges made, date, time, and location of the hearing.
- (b) The Cannabis Control Commissioner has the authority to subpoena and administer oaths to witnesses, hear the charges, agree to negotiated consent orders, and issue a written order within 14 days.
- (c) Any cannabis business establishment that is denied a cannabis business license or whose cannabis business license was declined to be renewed, suspended, or revoked has the right to appeal to the Village Board.

Sec. 12-417. CANNABIS CONTROL COMMISSIONER

- (a) The Cannabis Control Commissioner shall have the following duties and powers:
 - (1) Prescribe forms, determine fees, and adopt rules for the administration and enforcement of this Division.
 - (2) Accept, examine, inspect, and review applications for cannabis

business licenses to determine their completeness, and notify cannabis business establishments of any additional documents or information needed to determine whether a cannabis business license will be issued or renewed.

- (3) Investigate Applicants for initial and renewed cannabis business licenses.
 - (4) Examine Applicants, license holders, or witnesses under oath, hear testimony, issue subpoenas, and take evidence in any proceeding for the suspension, discipline, revocation, or nonrenewal of a cannabis business permit.
 - (5) Examine, inspect, and investigate the premises, operations, and records of adult use cannabis business permit holders.
 - (6) Conduct investigations of possible violations of State and Village law.
 - (7) Enter, or authorize any law enforcement officer to enter, at any time upon any permitted premises to determine whether the cannabis business establishment complies with all State and Village regulations.
 - (8) Issue citations and levy fines for minor violations.
 - (9) Institute proceedings and revoke, suspend, or discipline any cannabis business permit after notice and hearing for any reason enumerated below.
 - (10) Propose and negotiate terms of Impact Agreements.
- (b) The Cannabis Control Commissioner shall be given a salary of \$12,000 per year as allowable by law.

12-418. SOCIAL EQUITY CONSIDERATIONS

Keeping with the spirit and intent of the Act, The Village seeks to establish a legal cannabis industry within its borders that is equitable and accessible to those most adversely impacted by the enforcement of drug related laws in the state of Illinois. The Village seeks to reduce barriers to entry for individuals and communities most adversely impacted by the enforcement of cannabis related laws. The Village recognizes that individuals who have been arrested or incarcerated due to drug laws and their family members suffer long lasting negative consequences, including impacts to

employment, business ownership, housing, health, and long-term financial well-being.

(a) Social Equity Applicants. Those applicants for Cannabis Business Licenses who qualified as social equity applicants for State licensing purposes, pursuant to the Adult Use Cannabis Regulation and Tax Act, shall pay 75% of the annual license fee.

Sec. 40-33. IMPACT AGREEMENTS; IMPACT FEES

Impact Agreements. The Village anticipates that it will incur additional expenses and impacts upon the Village's road systems, utility services, public safety services, inspectional services, and permitting services. In order to minimize the burdens on the Village, Applicants for Licenses may be required to execute a Cannabis Business Impact Agreement. Cannabis Impact Agreements with the Village shall set forth conditions which shall may include, but not be limited to:

- i. Preference to Village residents, minorities, women, veterans, and people with disabilities for employment and contracts.
- ii. Community support
- iii. Security Requirements
- iv. Impact Fees

(a) Impact Fees. In order to mitigate the financial impact upon the Village and remedy the harms resulting from the disproportionate enforcement of cannabis-related laws, the Village may require impact fees from cannabis business establishments to be used for social equity programs including, but not limited to, employment training programs, community investment, economic development, infrastructure, law enforcement, and public health.

Sec. 12-420. CANNABIS BUSINESS REGULATIONS.

- (a) License Required.** It shall be unlawful for a person to maintain or operate a cannabis business establishment in the Village without first obtaining a cannabis business license, or to conduct activities outside the specific classification for which the cannabis business license was issued.
- (b) Compliance with Law.** All cannabis business establishments must comply with all State and local laws, including the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et. seq., building, electrical, plumbing, health, housing, zoning and fire codes.
- (c) Report to Police.** Every cannabis business establishment must promptly,

within twenty-four (24) hours, document and report any loss, theft, security breach, or criminal activity to Village police.

- (d) **Inspections.** It shall be unlawful for a cannabis business establishment to refuse entry or otherwise refuse inspection by the Cannabis Control Commissioner, his or her designee, any member of law enforcement or code enforcement.
- (e) **Employee Identification.** It shall be unlawful for an employee of a cannabis business establishment to engage in employment activities for the cannabis business establishment unless he or she displays a valid agent identification card, as required by State law. A copy of all agent identification cards shall be forwarded to the Village Clerk and updated as the card is renewed, suspended, revoked, or the employee is terminated.
- (f) **Minors Prohibited.** It shall be unlawful for a cannabis business establishment to allow any person under the age of twenty-one (21) years old to enter or loiter about any cannabis business establishment.
- (g) **Inoperable Equipment.** It shall be unlawful for a cannabis business establishment to operate if its security system, point of sale system, or inventory system are inoperable.
- (h) **Sanitary Conditions.** It shall be unlawful for a cannabis business establishment to maintain any building or equipment in an unclean or unsanitary state.
- (i) **Hours of Operation.**
 - a. It shall be unlawful for a cannabis business establishment to open earlier than 9:00 am.
 - b. It shall be unlawful for a cannabis business establishment to close later than 10:00 p.m. No cannabis business establishment shall license any person other than himself or employees to remain in the premises where cannabis is offered for sale longer than thirty (30) minutes after the closing hour.
 - c. Hours of operation shall apply to all sales, delivery, and dispensing activities of the business.

Sec. 12-421. ADVERTISING.

- (a) It shall be unlawful for a cannabis business establishment or any other person or entity to engage in advertising that is false or misleading, promotes overconsumption of cannabis or cannabis products, depicts the

actual consumption of cannabis or cannabis products, depicts a person under 21 years of age consuming cannabis, makes any health, medicinal, or therapeutic claims about cannabis or cannabis-infused products, includes the image of a cannabis leaf or bud, includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children or any other likeness to images, characters, or phrases that is designed in any manner to be appealing to or encourage consumption by persons under 21 years of age.

- (b) It shall be unlawful for a cannabis business establishment or any other person or entity to place or maintain an advertisement of cannabis or a cannabis infused product in any form or through any medium:
 - (1) Within 1000 feet of the perimeter of school grounds, a playground, a recreation center or facility, a child care center, a public park or public library, or a game arcade.
 - (2) On or in a public transit vehicle or public transit shelter.
 - (3) On or in publicly owned or publicly operated property.

Sec. 12-422. ADDITIONAL CANNABIS BUSINESS REGULATIONS-DISPENSARIES.

- (a) **Sale to Minors Prohibited.** It shall be unlawful for any cannabis dispensary to give, sell, or deliver to any minor, directly or indirectly, any cannabis.
- (b) **Minimum Employees.** It shall be unlawful for a cannabis dispensary to operate if less than two licensed employees are present.
- (c) **Prohibited Dispensing.** It shall be unlawful for a cannabis dispensary to dispense cannabis through vending machines, drive-through windows, or delivery services.
- (d) **Visibility of Products.** It shall be unlawful for any retail cannabis, cannabis products, or cannabis paraphernalia to be displayed or kept so as to be visible outside the cannabis dispensary by ordinary public view.
- (e) **Deliveries.** It shall be unlawful for a cannabis dispensary to accept cannabis deliveries through public or limited access areas. All deliveries must be accepted into a restricted access area with adequate security.
- (f) **Storage.** During hours of operation, all cannabis shall be stored in an

enclosed locked room or cabinet accessible only to authorized dispensary agents. When the dispensary is closed, all cannabis and currency shall be stored in a reinforced vault room in the restricted access area in a manner as to prevent diversion, theft or loss.

(g) **Prohibited Products.** It shall be unlawful for any cannabis dispensary to sell:

- (1) Cannabis seeds, except to those individuals showing valid identification as a qualifying patient under the Compassionate Use of Medical Cannabis Program Act.
- (2) Clones or other live plant material.
- (3) Any products containing alcohol, with the exception of tinctures as allowed by State law.
- (4) Cannabis, cannabis concentrate, or cannabis-infused products in combination or bundled with each other or any other items for one price.

Section 12-423. ADDITIONAL CANNABIS BUSINESS REGULATIONS-TRANSPORTERS.

- (a) **Persons Present.** It shall be unlawful for any person who is not a licensed cannabis transporting organization agent to be present in a commercial vehicle or trailer engaged in the transportation of cannabis.
- (b) **Minors Prohibited.** It shall be unlawful for anyone under the age of twenty-one (21) years old to be present in a commercial vehicle or trailer engaged in the transportation of cannabis.
- (c) **Designated Locations.** It shall be unlawful for a cannabis transporter to transport cannabis anywhere other than an Illinois licensed cultivation center, craft grower, infuser organization, dispensing organization, testing facility, or otherwise authorized by law.
- (d) **Weight Limit.** It shall be unlawful for an adult use cannabis transporter to use a commercial vehicle with a weight rating over 10,001 pounds.
- (e) **Documents Required.** It shall be unlawful for an adult use cannabis transporter to transport cannabis without a copy of the registration and manifest and transporter agent identification card. An adult use cannabis transporter shall produce the registration, manifest, and valid agent

identification card upon request of any law enforcement officer.

- (f) **Visibility of Activities.** It shall be unlawful for an adult use cannabis transporter vehicle to bear any markings indicating the name or logo of a cannabis business or otherwise indicating it contains cannabis.
- (g) **Storage.** It shall be unlawful for an adult use cannabis transporter to transport cannabis unless it is stored in an enclosed, locked storage compartment that is secured or affixed to the vehicle.

Section 12-424. PENALTY.

- (a) Any violation of this Division shall be deemed an Ordinance violation and subject to a minimum fine of \$100.00 and a maximum fine of \$750.00. Each day a violation occurs or continues shall constitute a separate and distinct violation.
- (b) Every act or omission constituting a violation of any of the provisions of this Chapter, by any officer, director, manager, agent, or employee of any cannabis business establishment shall be deemed and held to be the act of such employer or owner and the employer or owner shall be subject to punishment in the same manner as if the act or omission had been done or omitted by him personally.

SECTION FOUR: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

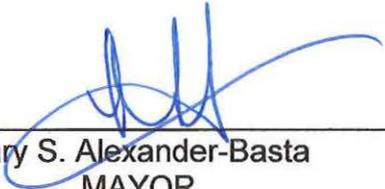
SECTION FIVE: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION SIX: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 11th DAY OF JANUARY, 2022.

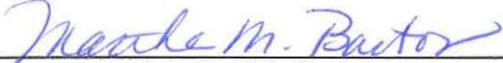
| | | |
|--------------|---|--|
| AYES: | 6 | Carpanzano, Doris, Lawler, Rupsis, Watts, Zarate |
| NAYS: | 0 | None |
| ABSENT: | 0 | None |
| ABSTENTIONS: | 0 | None |

APPROVED THIS 11th DAY OF JANUARY, 2022.



Mary S. Alexander-Basta
MAYOR

ATTEST:



Martha M. Barton
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY THE AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK, JANUARY 12, 2022.

STATE OF ILLINOIS)
COUNTIES OF WILL) SS
AND DUPAGE)

I, Martha M. Barton, certify that I am the duly elected and acting Village Clerk of the Village of Bolingbrook, Will and DuPage Counties, Illinois.

I further certify that on January 11, 2022, the Corporate Authorities of such municipality passed and approved Ordinance 22-002 entitled:

AMENDING CHAPTER 12: "BUSINESSES" OF THE BOLINGBROOK VILLAGE CODE TO LICENSE AND REGULATE CANNABIS BUSINESS ESTABLISHMENTS IS THE VILLAGE OF BOLINGBROOK

The pamphlet form of Ordinance 22-002 including the Ordinance and a cover sheet, thereof, was prepared on January 11, 2022. Copies of such Ordinance are available for public inspection upon request in the office of the Village Clerk.

DATED at Bolingbrook, Illinois, this 12th day of January, 2022.



Martha M. Barton

Martha M. Barton,
VILLAGE CLERK