

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, Katy Timmerman, certify that I am the duly elected Municipal Clerk for the Village of Mundelein, Lake County, Illinois.

I further certify that on December 8, 2014, the Corporate Authorities of such Village passed and approved

Ordinance No. 14-12-59

which is entitled

AN ORDINANCE REQUIRING A BUSINESS LICENSE FOR MEDICAL
CANNABIS DISPENSARIES AND CULTIVATION CENTERS

which provides by its terms that it should be published in pamphlet form.

The pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof was prepared and a copy of such Ordinance was posted in the Village Hall commencing on December 11, 2014 and was posted for at least ten days thereafter.

Copies of such Ordinance are available for public inspection upon request in the Customer Service Office.

Dated at Mundelein, Illinois this 11th day of December 2014.


Village Clerk

ORDINANCE NO. 14-12-59

AN ORDINANCE REQUIRING A BUSINESS LICENSE FOR MEDICAL
CANNABIS DISPENSARIES AND CULTIVATION CENTERS

Published in pamphlet form by authority
of the President and Board of Trustees
of the Village of Mundelein, Illinois

Date of Publication: December 11, 2014

ORDINANCE NO. 14-12-59

AN ORDINANCE REQUIRING A BUSINESS LICENSE FOR MEDICAL CANNABIS DISPENSARIES AND CULTIVATION CENTERS

WHEREAS, the Illinois General Assembly has enacted the Compassionate Use of Medical Cannabis Pilot Program Act ("the Act"), 410 ILCS 130, et. seq., to allow for Medical Cannabis Dispensaries and Cultivation Centers; and

WHEREAS, under 410 ILCS 130/140 home rule units are prohibited from regulating Medical Cannabis Dispensaries and Cultivation Centers except for enacting reasonable zoning ordinances not in conflict with the Act or with Department of Agriculture or the Department of Financial and Professional Regulation or Department of Public Health rules; and

WHEREAS, pursuant to 410 ILCS 130/140, the President and Board of Trustees of the Village of Mundelein, Lake County, Illinois adopted Ordinance Number 14-07-29 to amend the Mundelein Zoning Ordinance with respect to Medical Cannabis Dispensaries and Cultivation Centers; and

WHEREAS, the President and Board of Trustees of the Village of Mundelein, Lake County, Illinois, pursuant to its police powers, believe it is in the best interest of the Village to require owners and operators of Medical Cannabis Dispensaries and Cultivation Centers to obtain a business license prior to operating their businesses in the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MUNDELEIN, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION I: DEFINITIONS For the purposes of this ordinance the following words and phrases shall have the meanings respectively ascribed to them:

"Medical Cannabis Cultivation Center" or "Cultivation Center" means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary

activities to provide only registered Medical Cannabis dispensing organizations with usable medical cannabis.

"Medical Cannabis Dispensary", or "Dispensing Organization", or "Dispensary Organization" or "Dispensary" means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered Cardholders for medical use by registered qualifying patients.

SECTION II: LICENSE REQUIRED It shall be unlawful to operate a Medical Cannabis Dispensary or Medical Cannabis Cultivation Center without first obtaining a business license which license shall be hung in plain view in a conspicuous place on the licensed premises by May 1st of each year. It shall be a prerequisite to any such Medical Cannabis Dispensary or Medical Cannabis Cultivation Center that such establishment also post in plain view in a conspicuous place on the licensed premises a valid license form the State of Illinois.

SECTION III: APPLICATION FOR LICENSE Any person desiring to obtain a business license to operate a Medical Cannabis Dispensary or Medical Cannabis Cultivation Center shall make written application annually for that purpose on forms furnished by the Village Clerk, in accordance with the Title 5, Business Regulations and Licenses, Chapter 5.04, General Provisions of the Mundelein Municipal Code. The annual application for a Medical Cannabis Dispensary shall include a copy of the application for registration authorization submitted to the Illinois Department of Financial and Professional Regulation and the registration authorization issued by the Illinois Department of Financial and Professional Regulation. The annual application for a Medical Cannabis Cultivation Center shall include a copy of the application for a permit submitted to the Illinois Department of Agriculture and the permit issued by the Illinois Department of Agriculture. Each application for a business license for a Medical

Cannabis Dispensary or Medical Cannabis Cultivation Center shall be accompanied annually by payment of a non-refundable application fee in the amount of two hundred and fifty (\$250.00).

SECTION IV: ANNUAL LICENSE FEE The annual business license fee for a Medical Cannabis Dispensary within the Village shall be three thousand five hundred dollars (\$3,500) per year. The annual business license fee for a Medical Cannabis Cultivation Center within the Village shall be three thousand five hundred dollars (\$3,500) per year.

SECTION V: LICENSE TO BE POSTED Licenses required by this ordinance shall be posted in a conspicuous place in the premises designated therein.

SECTION VI: LICENSES NOT TRANSFERABLE The transfer of any license issued here under is here by expressly prohibited.

SECTION VII: SECURITY SYSTEMS Any security system required by the Village of Mundelein Ordinance 14-07-29, the Illinois Department of Agriculture for Medical Cannabis Cultivation Centers and the Illinois Department of Financial and Professional Regulation for Medical Cannabis Dispensaries shall provide for a live, real time video and audio feed to the Mundelein Police Department.

SECTION VIII: FINE, SUSPENSION OR REVOCATION OF LICENSE Every license issued under this Ordinance is subject to the right, which is hereby expressly reserved, to summarily suspend or revoke the same should the licensee of a Medical Cannabis Cultivation Center have its permit from the Illinois Department of Agriculture, or the licensee of a Medical Cannabis Dispensary have its registration authorization from ~~and~~ the Illinois Department of Financial and Professional Regulation, cancelled, suspended or revoked. In addition to the aforesaid power to suspend or revoke the license, the licensee may be prosecuted by the Village before the Village Hearing Officer for any violation of this Ordinance by the licensee or his agents or employees. The Hearing Officer shall have the power to fine the licensee an amount not to exceed \$750.00 for each violation of this Ordinance.

SECTION IX: SEVERABILITY In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all applications shall remain in effect.

SECTION X: REPEAL AND SAVINGS CLAUSE All ordinances or parts of ordinances in conflict herewith are here by repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Mundelein prior to the effective date of this ordinance.

SECTION XI: EFFECTIVE DATE This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

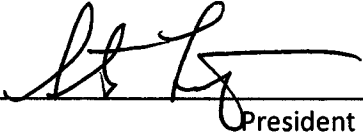
SECTION XII: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporations, public agencies or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, public agency or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

SECTION XIII: This Ordinance shall be published in pamphlet form and available in the Village

Clerk's Office.

ADOPTED this 8th day of December, 2014 by a roll call vote as follows:

RESULT:	CARRIED [UNANIMOUS]
MOVER:	Terri Voss, Trustee
SECONDER:	Holly Kim, Trustee
AYES:	Abernathy, Kim, Meier, Semple, Voss, Sullivan



President

PASSED: December 8, 2014

APPROVED: December 8, 2014

PUBLISHED in pamphlet form: 12-11-14

ATTEST: 

Village Clerk