



**VILLAGE OF ELBURN
COMMITTEE OF THE WHOLE MEETING
MONDAY, JUNE 3rd, 2019
7:00 PM**

1. Call To Order
2. Roll Call
3. Public Comment
4. Discussion:
 - a. Discuss Zoning for Cannabis Dispensaries
5. Other Business
6. Adjournment

1 Section 55-25. Local ordinances. Unless otherwise provided
2 under this Act or in accordance with State law:

3 (1) A unit of local government, including a home rule
4 unit or any non-home rule county within the unincorporated
5 territory of the county, may enact reasonable zoning
6 ordinances or resolutions, not in conflict with this Act or
7 rules adopted pursuant to this Act regulating cannabis
8 establishments. No unit of local government, including a
9 home rule unit, or school district may unreasonably
10 prohibit home cultivation and use of cannabis authorized by
11 this Act.

12 (2) A unit of local government, including a home rule
13 unit or any non-home rule county within the unincorporated
14 territory of the county, may enact ordinances or rules not
15 in conflict with this Act or with rules adopted pursuant to
16 this this Act governing the time, place, manner, and number
17 of cannabis establishment operations, including minimum
18 distance limitations between cannabis establishments and
19 locations it deems sensitive, including colleges and
20 universities, through the use of conditional use permits. A
21 unit of local government, including a home rule unit, may
22 establish civil penalties for violation of an ordinance or
23 rules governing the time, place, and manner of operation of
24 a cannabis establishment or a conditional use permit in the
25 jurisdiction of the unit of local government.

1 (3) A unit of local government, including a home rule
2 unit, or any non-home rule county within the unincorporated
3 territory of the county may regulate the consumption of
4 cannabis within its jurisdiction in a manner consistent
5 with this Act. A cannabis business establishment or other
6 entity authorized or permitted by a unit of local
7 government to allow on-site consumption shall not be deemed
8 a public place within the meaning of the Smoke Free
9 Illinois Act.

10 (4) A unit of local government, including a home rule
11 unit or any non-home rule county within the unincorporated
12 territory of the county, may not regulate the activities
13 described in paragraph (1), (2), or (3) in a manner more
14 restrictive than the regulation of those activities by the
15 State under this Act. This Section is a limitation under
16 subsection (i) of Section 6 of Article VII of the Illinois
17 Constitution on the concurrent exercise by home rule units
18 of powers and functions exercised by the State.

19 (5) A unit of local government may regulate the ability
20 of a cannabis business establishment to operate, provided
21 that any measure prohibiting or significantly limiting a
22 cannabis business establishment's location more than one
23 year from the effective date of this Act must be submitted
24 to the voters of such unit of local government at a
25 referendum held in accordance with general election law and
26 has been approved by a majority of such voters voting on

1 the question. The corporate authorities of any unit of
2 local government may certify the question of whether to
3 enact a zoning ordinance, special use permit, conditions or
4 requirements that inhibits the location of cannabis
5 business establishments. Referenda provided for in this
6 Section may not be held more than once in any 23-month
7 period.

8 Section 55-30. Confidentiality. Information provided by
9 cannabis business establishment licensees or applicants to the
10 Department of Agriculture, the Department of Public Health, the
11 Department of Financial and Professional Regulation, or other
12 agency shall be limited to information necessary for the
13 purposes of administering this Act. The information is subject
14 to the provisions and limitations contained in the Freedom of
15 Information Act and may be disclosed in accordance with Section
16 55-65.

17 Section 55-35. Administrative rulemaking.

18 (a) No later than 180 days after the effective date of this
19 Act, the Department of Agriculture, the Department of State
20 Police, the Department of Financial and Professional
21 Regulation, the Department of Revenue, the Department of
22 Commerce and Economic Opportunity, and the Treasurer's Office
23 shall adopt permanent rules in accordance with their
24 responsibilities under this Act. The Department of