

ORDINANCE NO. 2095-23

AN ORDINANCE AMENDING CHAPTER 22 "BUSINESS" ENACTING,  
ARTICLE 11, SECTIONS 500 – 550 "CANNABIS BUSINESSES", AND AMENDING  
CHAPTER 38, SECTION 22 "FINES, PENALTIES AND FEES", OF THE REVISED  
MUNICIPAL CODE OF THE VILLAGE OF NORRIDGE - 2002

Adoption of an Amendment to Business License to Provide  
Regulations Pertaining to Adult-Use Cannabis Dispensary Businesses  
and Establishing Fines, Fees and Penalties for Such Businesses

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DANIEL TANNHAUSER, PRESIDENT

DONALD GELSOMINO, TRUSTEE  
JACK BIELAK, TRUSTEE  
DEBRA J. BUDNIK, TRUSTEE

BILL LARSON, TRUSTEE  
ANDREW RONSTADT, TRUSTEE  
FRANK AVINO, JR., TRUSTEE

GABRIELA KRASINSKI, VILLAGE CLERK

ORDINANCE NO. 2095 -23

AN ORDINANCE AMENDING CHAPTER 22 "BUSINESS" ENACTING, ARTICLE 11, SECTIONS 500 – 550 "CANNABIS BUSINESSES", AND AMENDING CHAPTER 38, SECTION 22 "FINES, PENALTIES AND FEES", OF THE REVISED MUNICIPAL CODE OF THE VILLAGE OF NORRIDGE - 2002

Adoption of an Amendment to Business License to Provide Regulations Pertaining to Adult-Use Cannabis Dispensary Businesses and Establishing Fines, Fees and Penalties for Such Businesses

WHEREAS, the Village of Norridge ("Village"), as a home rule municipality in accordance with Article VII Section 6(a) of the Constitution of the State of Illinois of 1970, is enacting this Ordinance providing for the protection of the health, safety and general welfare of the Village pursuant to its home rule authority; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the public health, safety, welfare and morals of its citizens; and

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act ("Act") (P.A. 101-0027) (410 ILCS 705/1-1 *et seq.*), as it may be amended from time-to-time, which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis and municipal and state taxation thereof, which became effective June 25, 2019; and

WHEREAS, the Act provides that the Village may enact reasonable zoning ordinances or resolutions not in conflict with the Act, regulating cannabis business establishments, including rules adopted governing the time, place, manner and number of cannabis business establishments, and minimum distance limitations between cannabis business establishments and locations the Village deems sensitive; and

WHEREAS, the Village Board of Trustees ("Village Board") has determined that it would be in the best interests of Village residents, and pursuant to the Act to provide for the retail sale of cannabis and its taxation within Village boundaries; and

WHEREAS, the Village Board previously adopted the necessary zoning regulations to provide for areas within the Village where such businesses could locate and also adopted an ordinance permitting the Village to tax such businesses in accordance with governing state law; and

WHEREAS, the Village Board now wishes to provide detailed licensing provisions for such businesses and to provide for pertinent fines, fees, and penalties and wishes to enact relevant amendments to the Revised Municipal Code of the Village of Norridge – 2002 ("Code"); and

WHEREAS, these amendments provide for enforcement of violations of this Ordinance; and

WHEREAS, the Village Board is enacting this Ordinance to enhance the protection of the health, safety and general welfare of the residents of the Village and to protect the residential character of the Village.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Norridge, Cook County, Illinois:

Section 1.

The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2.

That Chapter 22, Article 11 of the Code be and hereby is enacted as follows:

**Chapter 22 - BUSINESSES**

[. . .]

**ARTICLE 11 – CANNABIS BUSINESSES**

**DIVISION I. – IN GENERAL**

**Sec. 22-500. – Purpose, Policy, and Applicability.**

This Article shall apply to the service, distribution, sale, including, but not limited to, any transaction of retail sale of cannabis, within the Village. The only Adult-Use Cannabis Business Establishments permitted within the Village shall be Adult-Use Cannabis Dispensing Organizations.

**Sec. 22-501. – Interpretation of Article.**

This Article shall be liberally construed to the end that the health, safety and welfare of the residents of Village shall be protected and temperance in the use and consumption of cannabis shall be fostered and promoted.

**Sec. 22-502. – Definitions.**

Unless the context shall otherwise require, or unless defined in the Village Code, including this Article, terms used in this Article shall have the definitions given in the Act, as amended from time to time. The following words and phrases shall, for the purposes of this Article shall have the meanings respectively ascribed to them by this section, as follows:

*Act* means the state Cannabis Regulation and Tax Act, (P.A. 101-0027) (410 ILCS 705/1-1 *et seq.*), as it may be amended from time-to-time and any rules and regulations promulgated thereunder. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

*Adult-Use Cannabis Business Establishment* means an adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

1. *Adult-Use Cannabis Craft Grower* - Craft grower means a facility operated by an organization or business that is licensed by the 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.
2. *Adult-Use 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 Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.
3. *Adult-Use 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 Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.
4. *Adult-Use 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 Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

5. *Adult-Use 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 Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.
6. *Adult-Use 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 Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

*Cannabis* when used in this Article refers to cannabis businesses as defined herein. Cannabis means 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 concentrate and cannabis-infused products.

*Cannabis Commissioner* means the individual with the authority to oversee and implement the provisions of this Article. The Cannabis Commissioner shall be the Village President, or designee.

*Cannabis-infused product* means a beverage, food, oil, ointment, tincture, topical formulation, or another product containing cannabis that is not intended to be smoked.

*Cannabis Dispensary* means an Adult-Use Cannabis Dispensing Organization.

*License or Licensee* means where not otherwise qualified, the term license or licensee wherever used in this Article means a license or licensee of the Village under this Article.

*Operation Plan* means an addendum to the Village Adult-Use Cannabis Dispensing Organization Application which shall include, but not be limited to the requirements set forth in this Article and as requested by and approved by the Village as part of the application process.

*Underage Person* as used in this Article, shall mean any person less than 21 years of age.

**Sec. 22-503. – Dispensary premises.**

No part of the premises of an Adult-Use Cannabis Dispensing Organization business may be used for a dwelling or residence.

**Sec. 22-504. – Giving away of cannabis.**

No licensee, individual, partnership or corporation shall give away or provide samples or tastings of any cannabis or cannabis-infused product for retail sales or other purposes or in connection with the promotion of the Adult-Use Cannabis Dispensing Organization.

**Secs. 22-505 - 509. - Reserved.**

**DIVISION 2. – RETAIL SALES - LICENSE**

**Sec. 22-510. – License Required.**

No person shall sell or offer for sale or possess with intention to sell at retail in the Village any cannabis without a cannabis dispensary retail sales license issued by the Village pursuant to this Article, in addition to a license issued by the State of Illinois. No person shall sell at retail or offer for sale at retail in the Village cannabis in any form, in violation of the terms and conditions of such license or in violation of any provision of this Article, or any provision of the Act.

**Sec. 22- 511. – License Term.**

Each cannabis dispensary shall have a license issued by the State of Illinois to sell retail cannabis prior to applying for a Village Adult-Use Cannabis Dispensing Organization license. Each cannabis dispensary shall have a Village license pursuant to this Article. The license shall be an annual license and shall expire on April 30th next following its issuance and every year thereafter requiring an application for renewal and approval.

**Sec. 22-512. – Number of licenses.**

There shall not be more than two (2) cannabis retail sales licenses for Adult-Use Cannabis Dispensing Organizations in the Village. Nothing shall in any case prohibit the Village Board of Trustees from decreasing the number of cannabis dispensary licenses that may be issued within the jurisdiction of the Village.

**Sec. 22-513. – Application.**

A. An application for any license required by this Article shall be made in writing, signed by the applicant or by a duly authorized officer of an entity, verified by oath or affidavit. In addition to the provided form, the licensee applicant shall be responsible for submitting any additional information that may be required which shall include but is not limited to the following:

1. The name of the individual, partnership, corporation or association applying for the license.
2. The residence, phone number and driver's license number of the applicant or partners; or, if a corporation or association, the residence, phone number and driver's license number of the principal officers or members.
3. The location for which the license is requested.
4. That the license requested is for an Adult-Use Cannabis Dispensing Organization.
5. Whether the applicant, his partners or the principal officers of the corporation or association have been convicted of a non-cannabis related criminal offense or ordinance violation (other than cannabis, traffic or parking offenses) in any jurisdiction and, if so, a list of such convictions with date and prosecuting jurisdiction.
6. In addition to the application, the applicant or the managing partners or officers of the owning entity of the applicant and the on-site managers of the applicant must have successfully completed a criminal background check, including, but not limited to, finger printing under the direction of the State of Illinois.
7. An affidavit, executed by a duly authorized officer or managing partner, stating that all members, officers, managers, general partners, directors, stockholders, or limited partners of the applicant owning five (5) percent or more of the applicant have no criminal convictions in any jurisdiction.
8. In addition to those documents required for any application for a Building Permit or Business License for an Adult-Use Cannabis Dispensing Organization certain other specific items shall also including but limited to:
  - a. A complete copy of all applications and plans submitted for required state licenses and a copy of the Applicant's state issued Adult Use Cannabis Dispensing Organization License;
  - b. An inventory control plan;
  - c. A floor plan;
  - d. A plan for the removal, recycling, disposal, and/or destruction of cannabis waste;
  - e. A security and outdoor lighting plan;
  - f. The Adult-Use Cannabis Dispensing Organization location depicted on a copy of the Village zoning map showing that the location is an area permitted by the Village zoning regulations and also only in the CO - Cannabis Overlay District;
  - g. That the structure meets all applicable building and fire codes, as reflected in the Village's Building and other Codes, as may be amended from time to time;

h. A copy of the applicant's current certificate of liability insurance naming the Village as additional insured.

i. Those additional items required by Division 3 of this Article.

B. Any building intended to be occupied by an Adult-Use Cannabis Dispensing Organization shall comply with the architectural standards for a commercial building established by the Village and is subject to review by the Advisory Review Committee.

C. An Adult-Use Cannabis Dispensing Organization as a principal use is required to comply with all use standards and all other Village zoning regulations and other regulations and codes.

**Sec. 22-514. – Review of Application.**

The Village Chief of Police or designee and the Building Commissioner or designee shall review the application items required by this Article and any final site inspection issues, and forward a recommendation regarding their review to the Cannabis Commissioner and to the Village Board of Trustees who shall make the final determination as to whether a license shall be issued under this Article.

**Sec. 22-515. – Fees.**

The applicant for a license under this division shall pay the Village a non-refundable initial application fee and an annual fee per year for each license applied for. This fee is not to be prorated if the license is issued after the commencement of the Village fiscal year. No part of such fee is to be refunded if the license is revoked by the Village, or if it is not used by the owner for the entire year. Fees shall be as set forth in Chapter 38, Section 22-515 of the Village Code.

**Sec. 22-516. – Restrictions on issuance.**

No license shall be issued:

A. To an individual or entity declared ineligible for a license under the Act, as amended from time to time, or to a person, partnership, limited liability company, or corporation not eligible for an Illinois cannabis dispensary license.

B. For an Adult-Use Cannabis Dispensing Organization in proximity to a public school, or if issuance of the Adult-Use Cannabis Dispensing Organization retail sales license would violate Village zoning ordinances, regarding cannabis dispensaries distance from such an institution.

C. That the applicant is proposing a location that is in violation of the minimum distance limitations of the Act.

D. That the applicant is under the age of twenty-one (21).



E. That the applicant or any principal officer therein has held a license or had an interest in a license issued pursuant to this Article, in any other location in Illinois, or in any other state that was revoked for cause.

**Sec. 22-517. – Location, Distance between licensed premises.**

An Adult-Use Cannabis Dispensing Organization retail sales license shall not be issued for a cannabis dispensary that is on property or in premises in proximity to another Adult-Use Cannabis Dispensing Organization as restricted by the Act, or if issuance of the Adult-Use Cannabis Dispensing Organization license would violate the Village zoning ordinances or zoning regulations regarding Adult-Use Cannabis Dispensing Organizations as amended from time to time.

**Sec. 22-518. – License Issuance.**

A. The owner of the Adult-Use Cannabis Dispensing Organization shall file three original copies of an affidavit certifying compliance with the Act and Village ordinances with the Village Clerk (with a signed original of the affidavit also being filed with the Police Department and with the Building Department) prior to initial issuance of a business license and every year thereafter prior to renewal of such business license affirming full compliance with this Article as well as all other applicable ordinances, laws, rules and regulations as provided herein and all other requirements of the Act.

B. Upon a determination that the applicant has fully complied with state law and all Village ordinances, the Village Board of Trustees shall issue the license.

**Sec. 22-519. – Nature of license; transfer; expiration.**

A. An Adult-Use Cannabis Dispensing Organization retail sales license shall be purely a privilege, good for a period not to exceed one (1) year after issuance unless revoked according to law, and shall not constitute property, or be subject to attachment, garnishment or execution, or be alienable, assignable, transferable or subject to encumbrance, and shall cease upon the death, or insolvency or cessation of operation of the licensee or the filing for bankruptcy protection.

B. A licensee shall not enter into any agreement with a person or entity, whether it be a lease, management, or other agreement, that would allow the person or entity to utilize the license in the operation of the person's or entity's business wherein the licensee maintains an interest of any kind whatsoever in the license.

C. If a licensee's business is inactive for a period of three (3) consecutive months, the license shall become null and void. For the purposes of this Section, the word "inactive" shall mean that the business has ceased operating or is not open to the public. Should a license become inactive for (3) three consecutive months, the Village Board of Trustees may, but is not required to reinstate the license, but only upon a showing that the licensee is in full cooperation and compliance with state law and all Village ordinances.

**Sec. 22-520. – Renewal of license.**

A. Any Adult-Use Cannabis Dispensing Organization retail sales license may be renewed at the expiration of its term, provided the applicant is qualified to receive a new cannabis dispensary retail sales license under the then current requirements and the premises for which such renewal license is sought are suitable for such purposes; and further, that the renewal privilege herein provided for shall not be construed as a vested right.

B. The renewal application shall be on a form prescribed by the Village.

C. Licensees shall submit annually for a confirmation of renewal to the Village by providing proof of renewal of their state license. The Village will review the license before issuing the renewal. A fee commensurate with the cost of reviewing the existing license, the new state license, the history of calls for service at the site, and a site visit as well as any other appropriate review and investigation shall be submitted with the renewal application. This fee shall be set by the Village Board of Trustees and is set forth in Chapter 38, Section 22-515 of the Village Code.

**Sec. 22-521. – Change of location of business.**

A cannabis dispensary retail sales license shall permit the sale of cannabis only in the premises described in the application and license. A requested change in location shall require the licensee to reapply in the manner required by this Article and as required by any other state laws or Village ordinances.

**Sec. 22-522. – Display.**

Each licensee shall display the cannabis dispensary retail sales license in plain view in a conspicuous place on the premises.

**Sec. 22-523. – Subsequent awarding of licenses.**

In the event the Village Board of Trustees revokes a cannabis dispensary retail sales license or such license is surrendered, the Village Board of Trustees may, but is not required to, decide to award a license to another applicant.

**Secs. 22-524 - 529. - Reserved.**

**DIVISION 3. RETAIL SALES – OPERATIONAL REQUIREMENTS**

**Sec. 22-530. – Operational Requirements.**

A. Adult-Use Cannabis Dispensing Organizations shall be located only in and comply with all requirements of the underlying zoning districts. An Adult-Use Cannabis Dispensing Organization shall not be located within a house, apartment, condominium, or an area zoned for residential use. It shall be located only in the CO – Cannabis Overlay District.

B. Adult-Use Cannabis Dispensing Organizations may not conduct any sales or distribution of cannabis other than as authorized by the Act and this Article, nor violate any other requirements or prohibitions set by the State of Illinois.

C. The perimeter walls of an Adult-Use Cannabis Dispensing Organization may not be located within 500 feet of the property line of a pre-existing public primary or secondary school. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The five hundred foot (500') distance limit in this subsection C shall be measured in a straight line from the nearest "lot line" of the Adult-Use Cannabis Dispensing Organization to the nearest "lot line" of the "land use" from which the setback is sought; provided that if an Adult-Use Cannabis Dispensing Organization is to be situated in a distinct tenant space within a multi-tenant building, then the setback described in this subsection C shall be measured from the nearest demising wall of the distinct tenant space within the building in which the Adult-Use Cannabis Dispensing Organization is proposed to the nearest "lot line" of the "land use" from which the setback is sought.

D. An Adult-Use Cannabis Dispensing Organization shall not be established as an accessory use or a component land use with any other land use, except a Medical Cannabis Dispensing Organization.

E. At least 75% of the floor area of any tenant space occupied by an Adult-Use Cannabis Dispensing Organization shall be devoted to the activities of the dispensing organization as authorized by the Act, and no cannabis dispensary shall also sell food for consumption on the premises other than as authorized by the Village.

F. An Adult-Use Cannabis Dispensing Organization shall not include a drive through facility, nor distribution of cannabis by a vending machine, nor distribution by delivery to residences or other locations where purchasers may be.

G. On-site consumption of cannabis is prohibited. Cannabis may not be consumed within an Adult-Use Cannabis Dispensing Organization for any purpose and in any form, including but not limited to samples, tastings, edible products, or byproducts or by smoking. A sign, at least twenty-four (24) inches by thirty-six (36) inches, shall be posted inside, at a location clearly visible to patrons, with the following language.

"SMOKING, EATING, DRINKING, OR OTHER FORMS OF CONSUMPTION OF CANNABIS OR PRODUCTS CONTAINING CANNABIS IS PROHIBITED ANYWHERE INSIDE OR ON THE GROUNDS OF THIS ESTABLISHMENT."

No person, including any employee, manager, owner or agent of the licensee may consume cannabis products on the licensed premises before or after the permitted hours of operation. No employee or other server of cannabis may consume or be permitted to consume any cannabis product on the licensed premises while on duty or while performing any duties of employment.

H. Consumption in parking lot adjacent to Adult-Use Cannabis Dispensing Organization is prohibited.

1. Cannabis may not be consumed in any parking lot or open area adjacent to any Adult-Use Cannabis Dispensing Organization for any purpose and in any form, including but not limited to samples, tastings, edible products or byproducts or by smoking.
2. No licensee, or officer, associate, member, representative, agent, or employee of such licensee, shall permit or engage in the consumption of cannabis in violation of this Article.
3. All cannabis dispensaries must post the following sign on the property where the establishment is located.

“PURSUANT TO THE VILLAGE OF NORRIDGE CODE, IT IS UNLAWFUL TO CONSUME ANY CANNABIS IN ANY PARKING LOT OR OPEN AREA ADJACENT TO THIS ADULT-USE CANNABIS DISPENSING ORGANIZATION.”

- I. Signage shall comply with the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, the regulations promulgated thereunder, and Village zoning regulations.
- J. Adult-Use Cannabis Dispensing Organizations must include the legal name of the dispensary on the packaging of any cannabis product it sells.
- K. Adult-Use Cannabis Dispensing Organizations are prohibited from selling alcohol.
- L. An Adult-Use Cannabis Dispensing Organization may only accept cannabis deliveries into a restricted access area.
- M. A dispensary may operate only between the hours of 8:00 a.m. and 10:00 p.m.
- N. Building enhancements, such as security cameras, lighting, or other improvements, to ensure the safety of employees and customers of the adult-use cannabis business establishments, as well as its environs shall be installed. Said improvements shall be determined based on the specific characteristics of the floor plan for an Adult-Use Cannabis Dispensing and the site on which it is located, consistent with the requirements of the Act.
- O. An Adult-Use Cannabis Dispensing Organization shall comply with the security provisions of 410 ILCS 705/15-100. Dispensaries must ensure that the dispensary interior and exterior premises are sufficiently lit to facilitate surveillance, and must ensure that trees, bushes, and other foliage outside of the dispensary premises do not allow for a person or persons to conceal themselves from sight. (See 410 ILCS 705/15-100 (a)(13) and (14)).
- P. A manager shall be on the licensed premises at all times that the licensed premises is open for business.
- Q. The owner, manager or a key holder of the Adult-Use Cannabis Dispensing Organization is required to respond by phone or email pertaining to non-emergency situations within 24 hours of contact by a Village official.

R. The cannabis dispensary business shall be ventilated so that the odor of marijuana cannot be detected by a person with a normal sense of smell at the exterior of the business.

S. Disposal of adult-use cannabis and cannabis byproducts: all products must be made unusable and unrecognizable prior to the removal from the business.

T. It is prohibited to cultivate, distribute, produce, smoke, use, or ingest marijuana openly or publicly in a place open to the general public.

U. Operation of the Adult-Use Cannabis Dispensing Organization business is prohibited when:

1. the video surveillance equipment is inoperative
2. the point-of-sale equipment is inoperative.
3. the State's cannabis electronic verification system is inoperative
4. there are fewer than two people working at any time within the Adult-Use Cannabis Dispensing Organization.

V. Parking and loading shall be as required in accordance with Village zoning regulations as amended from time to time: 1 space for every 150 sq. ft. of gross floor area plus employee parking.

**Sec. 22-531. – Underage person; prohibition.**

A. No licensee, or any officer, associate, member, representative, agent, or employee of such licensee, shall sell, give, or deliver cannabis to an underage person. No person, after purchasing or otherwise obtaining cannabis, shall sell, give, or deliver the cannabis product to an underage person.

B. No licensee, or any officer, associate, member, representative, agent, or employee of such licensee, shall permit an Underage Person to be or remain on or in any portion of a licensed premises unless the Underage Person is: (i) accompanied by his or her parent or guardian, or (ii) on the premises for the purchase of authorized medicinal cannabis for the personal use of the underaged person.

C. No Underage Person shall consume, purchase, smoke or have in his or her possession, cannabis, except for prescribed medical use, with proper documentation. It shall be unlawful for any parent or guardian to permit an underage person, of which he or she may be the parent or guardian, to violate any of the provisions of this Article and shall not provide cannabis to their children or in *loco parentis* except for prescribed medicinal use.

**Sec. 22-532. – Purchase or acceptance of cannabis by underage person; identification cards; warnings.**

A. Prohibited gift or delivery. No underage person shall accept a gift or delivery of cannabis.

B. Photo identification. If a licensee, or any officer, associate, member, representative, agent or employee of such licensee, believes or has reason to believe that a sale or delivery of cannabis is prohibited because of the insufficient age of the prospective purchaser, he or she shall, before making such sale or delivery, demand presentation of adequate written evidence of identity, including, but not limited to, a photograph, and of the fact that the purchaser or recipient is over the age of 21 years (hereinafter "identification card"), issued by a federal, state, county, or municipal government or subdivision or agency thereof, including, but not limited to, a motor vehicle operations license or identification card issued to a member of the Armed Services.

C. No sale. If a licensee, or any officer, associate, member, representative, agent, or employee of such licensee, believes or has reason to believe that the ultimate recipient of cannabis to be purchased is of insufficient age or is using a forged or false identification card, he or she shall not make the sale.

D. Forged or false identification. No person shall transfer, alter, or deface an identification card; use the identification card of another; carry or use a false or forged identification card; or obtain an identification card by means of false information. No person shall purchase, accept the delivery, or have the possession of cannabis in violation of this section.

E. Warnings displayed. In each Adult-Use Cannabis Dispensing Organization there shall always be displayed in a prominent place, a printed card and which shall read substantially as follows:

WARNING TO ALL PERSONS UNDER THE AGE OF TWENTY-ONE YEARS.  
YOU ARE SUBJECT TO A CRIMINAL ARREST AND FINE IF YOU PURCHASE,  
OR ACCEPT A GIFT OF, CANNABIS OR HAVE CANNABIS IN YOUR  
POSSESSION, OR IF YOU HAVE IN YOUR POSSESSION A FALSE, FORGED,  
ALTERED OR DEFACED IDENTIFICATION CARD WHICH MISREPRESENTS  
YOUR AGE.

**Secs. 22-533 - 539. - Reserved.**

#### **DIVISION 4. – LICENSE REVOCATION, SUSPENSION, PENALTIES, AND FINES.**

##### **Sec. 22-540. – Revocation, suspension, and fines.**

A. Any license issued pursuant to this Article may be revoked, suspended for a period not to exceed thirty (30) days and/or a fine imposed as set forth in Chapter 38 of this Code.

B. Violations of this Article and any revocation, suspension, or fines as per subsection (a) above, will only be issued if the Village Board of Trustees, after a duly noticed hearing, determines:

1. That the licensee has violated any of the provisions of this Article, the laws of the state, or Village ordinances at the licensed location.

2. That the licensee has knowingly furnished false or misleading information or withheld relevant information on any application for a license required by this division or any investigation into any such application.

3. The licensee shall be responsible for the acts of its agents, servants, and employees in the operation of any licensed establishment. Prior to holding a hearing concerning the question of whether a license issued pursuant to this division shall be revoked or suspended, the Village shall give at least ten (10) days' written notice to the licensee setting forth the alleged violations specifically. The licensee may present evidence at such hearing and cross-examine witnesses.

4. In the event the Cannabis Commissioner issues a Notice to the licensee to convene a hearing regarding an alleged violation or violation of Local, State or Federal Law; any and all fees and costs associated with said hearing or in the preparation thereof, shall be paid by the licensee, including but not limited to attorney's fees for a legal advisor to the Village and for a prosecutor and for related costs including but not limited to the cost of the court reporter.

**Secs. 22-541 - 550. - Reserved.**

### Section 3.

That Chapter 38-22 of the Code be and hereby is amended by enacting the following fines, fees and penalties provided for in Chapter 22, Article 11 of the Code as follows:

## **CHAPTER 38, FINES, PENALTIES AND FEES**

[. . .]

### **Sec. 38-22- Businesses**

[. . .]

Additional fees or charges or fines required by or referenced in Chapter 22, Section 500 *et seq.* are as follows:

The applicant for a license under this division shall pay the Village a fee per year or part thereof for each license for each year the licensee is in business. Each year of business will be calculated beginning on May 1.

Sec. 38-22-500 *et seq.*

Code Section		Penalty, Fee, Fine
Sec. 22-515	Adult-use cannabis dispensing organization	\$1,000.00 Fee Non-refundable
Sec. 22-515	Adult-use cannabis dispensing organization annual license fee	\$8,000.00 Annual Fee
Sec. 22-540	First violation within a 12-month period	\$3,000.00 for a violation of this Article.
Sec. 22-540	Second violation within a 12-month period	\$4,000.00 for a violation of this Article.
Sec. 22-540	Third or subsequent violation within a 12-month period for a violation of this Article.	\$5,000.00 for a violation of this Article.
Sec. 22-540		Not more than \$17,000.00 in fines under this section may be imposed against any licensee during the period of an annual license. A separate offense shall be deemed to have been committed on each day during or on which a violation occurs or continues.

Any license issued pursuant to this Article may be revoked, or suspended for a period not to exceed thirty (30) days.

Section 4.

If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance or their application if they can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision is severable, unless otherwise provided by this Ordinance.

Section 5.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

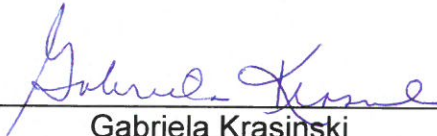


PASSED by the President and Board of Trustees of the Village of Norridge, Cook County, Illinois, this 22nd day of February 2023.

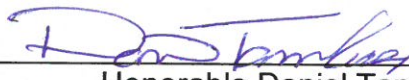
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NAYS: 0

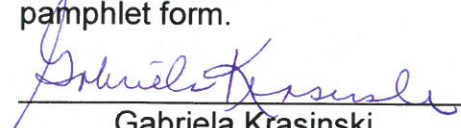
ABSENT: 0

  
\_\_\_\_\_  
Gabriela Krasinski  
Village Clerk

APPROVED this 22nd day of February 2023.

  
\_\_\_\_\_  
Honorable Daniel Tannhauser  
Village President

PUBLISHED by me this 22nd day of February 2023 in pamphlet form.

  
\_\_\_\_\_  
Gabriela Krasinski  
Village Clerk