

VILLAGE OF DOLTON
COOK COUNTY, ILLINOIS

ORDINANCE NO. 20-003

**AN ORDINANCE AMENDING CHAPTER 14 OF ARTICLE 10
OF THE DOLTON VILLAGE CODE DEALING WITH
THE REGULATION OF CANNABIS BUSINESS ESTABLISHMENTS**

WHEREAS, previously on December 2, 2019, the Mayor and Board of Trustees of the Village of Dolton adopted Ordinance No. 19-019, “An Ordinance Amending the Village of Dolton Zoning Code by Adding New Chapter 14, “Regulations For Cannabis Business Establishments”; and

WHEREAS, the Mayor and Board of Trustees have determined that it is reasonable and appropriate to amend this Ordinance consistent with the intent of the Village Board and the public hearings previously held in connection with the adoption of the Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRSUTEES OF THE VILLAGE OF DOLTON, COOK COUNTY, ILLINOIS, in the exercise of its home rule powers and the authority set forth in the Cannabis Regulation and Tax Act and Compassionate Use of Medical Cannabis Program Act, as follows:

SECTION 1: Amendment. The previously adopted Ordinance No. 19-019 is hereby amended by deleting the text thereof and substituting the following text in its place:

CHAPTER 14

**REGULATIONS FOR
CANNABIS BUSINESS ESTABLISHMENTS**

SECTION:

- 10-14-1: Purpose and Intent
- 10-14-2: Definitions
- 10-14-3: Compliance with Applicable Laws

- 10-14-4: Certificate of Zoning Compliance/State License
- 10-14-5: Special Use
- 10-14-6: Permitted Locations for Cannabis Business Establishments
- 10-14-7: Use Standards/Regulations
- 10-14-8: Parking Requirements
- 10-14-9: Exterior Display, Signage and Advertising
- 10-14-10: Other Development Restrictions

10-14-1: **PURPOSE AND INTENT:**

This Chapter is intended to protect the public health, safety and welfare of the Village and its residents by establishing regulations in regard to the cultivation, processing, dispensing and transportation of adult-use cannabis and medical cannabis within the corporate limits of the Village of Dolton.

The purpose of this Chapter is to ensure new cannabis business establishments are integrated with surrounding uses and are compatible in character with the surrounding neighborhood or area of the zoning district in which they are located.

10-14-2: **DEFINITIONS:** The following words and terms, wherever they appear in this chapter, shall be construed as herein defined. Additionally, the Village adopts all other definitions set forth in the Cannabis regulation and Tax Act and the Compassionate Use of Medical Cannabis Program Act, as if fully set forth herein.

“Adult-Use Cannabis Craft Grower” means 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 as set forth in the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder. The facility must contain a minimum of 3000 sq. ft., but no more than 14,000 sq. ft. of cultivation space.

“Adult-Use Cannabis Cultivation Center” means 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 and usable medical cannabis to licensed cannabis business establishments as set forth in the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder. The facility shall contain no more than 210,000 sq. ft. of cultivation space.

“Adult-Use Cannabis Dispensing Organization” means 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 as set forth in the

Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder.

“Adult-Use Cannabis Infuser Organization” or *“Infuser”* means 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 as set forth in the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder.

“Adult-Use Cannabis Processing Organization” or *“Processor”* means 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 as set forth in the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder.

“Adult-Use Cannabis Transporting Organization” or *“Transporter”* means an organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a candidate business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program as set forth in the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder.

“Advertise” means 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; and the display of window and interior signs.

“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 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 resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. “Cannabis” also means concentrate and cannabis-infused products.

“Cannabis Business Establishment” means a cultivation center, craft grower, processing organization, infuser organization, dispensing organization, a medical cannabis dispensing organization, or a medical cannabis cultivation center.

“Cannabis Consumption Lounge/Café” means a designated area on the premises of an adult-use cannabis dispensary where customers may consume cannabis or cannabis-infuse products.

“Consume”, “Consuming” or *“Consumption”* means smoking, eating, drinking, chewing, applying topically or otherwise ingesting.

“*Enclosed Locked Facility*” means a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by agents of a licensed cannabis business establishment and acting pursuant to State law.

“*Medical Cannabis Dispensing Organization*” 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 qualifying patients, individuals with a provisional registration for qualifying patient cardholder status, or an Opioid Alternative Pilot program participant as set forth in the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1, *et eq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder.

“*Medical 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 as set forth in the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1, *et eq.*, and as it may be amended from time-to-time, and the regulations promulgated thereunder.

“*State Law/Statute*” means the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1, *et seq.*, and as they may be amended from time-to-time, and the regulations promulgated thereunder.

“*Underage Person*”, as used in this Chapter, means any person less than twenty-one (21) years of age.

10-14-3: COMPLIANCE WITH APPLICABLE LAWS:

Cannabis business establishments shall comply with all regulations provided in the Cannabis Regulation and Tax Act, 410 ILCS 705/1, *et seq.*, and the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1, *et seq.*, and as they may be amended from time-to-time, and the regulations promulgated thereunder, and the regulations provided below. In the event that either or both of the Acts are amended, the more restrictive of the state or local regulations shall apply; however, in the event the local regulations conflict with state law, state law shall prevail.

10-14-4: CERTIFICATE OF ZONING COMPLIANCE/STATE LAW:

A Village-issued certificate of zoning compliance, a state-issued license for the specific cannabis business, and a Village-issued business license are required prior to any cannabis business establishment is allowed to open for business.

10-14-5: SPECIAL USE:

A cannabis business establishment shall be permitted only as a special use in the locations set forth below. In determining whether the special use will be approved, the applicant shall be required to submit plans and documents (collectively Facility Components”) deemed necessary by the Village, including, but not limited to the following

- (A) Plat of Survey
- (B) Site Plan
- (C) Engineering Plan
- (D) Architectural Plans and Elevations
- (E) Building Material Samples
- (F) Lighting Plan
- (G) Signage Plan
- (H) Business and Operational Plan
- (I) Parking Plan and Traffic Study
- (J) Impact on Surrounding Areas
- (K) Security Plan/Installations to be reviewed and approved by the Chief of Police, or his/her designee for the adequacy of lighting, security and video surveillance. The security plan shall include, but is not limited to, the following:
 - (i) The cannabis business establishment shall be enclosed, locked, facility and shall provide and maintain adequate security on the premises, including lighting, video surveillance, and alarms reasonably designed to ensure the safety of persons and to protect the premises from theft;
 - (ii) The parking area, client entrance, sales area, back room, storage areas and delivery and loading bay and entrance shall be monitored by video surveillance equipment with live images that can be viewed by agents of the cannabis business establishment, continually recorded in a tamper proof format;
 - (iii) A sign shall be posted in a prominent location which includes the following language: “This area is under live/recorded video surveillance to aid in the prosecution of any crimes committed against this facility or its patrons”; and
 - (iv) A process for reporting criminal activity on the licensed premises to local law enforcement officials.
- (L) Proof of Compliance with State law
- (M) Other criteria deemed necessary to assess compliance with this Chapter.
 - (i) For an adult-use cannabis dispensary, with or without a cannabis consumption lounge/café, an “operation plan” shall include, but is not limited to the following information:
 - a. A floor plan including where the sale of cannabis shall take place in the establishment and where the designated area for storage and delivery shall be;

1. If a cannabis consumption lounge/café is proposed, the floor plan shall also include where the lounge shall be located and where the entrance/exit from the dispensary to the lounge area shall be located. The lounge shall not have a separate entrance to and from the outside.

2. If a cannabis consumption lounge/café is proposed, an air quality/ventilation plan that provides for the operation of an air purification system that is adequate to remove from the ambient air any smoke or vapor that contains THC compounds so as to mitigate the impact of those compounds on employees and customers of the dispensary. Adequate ventilation does not mean that doors and/or windows are left open for such purpose resulting in odor emission from the premises. The ventilation plan must include a description of the operations and maintenance plan for the system and a method for recordkeeping to ensure said plan is followed.

- b. The types of cannabis that will be offered for sale and the hours of service and method of packaging and delivery to customers;
- c. The location for the checking of identification to determine the customer's age;
- d. The location of medical purchases.
- e. A plan for disposal of cannabis or by products that are not sold in a manner that protects any portion thereof from being possessed or ingested by any person or animal and that abides by applicable state and/or local regulations.

(ii) For co-location of cannabis business establishments, each separate business must submit plans and documents, and include the location of its vault, required in this Section for review. Additionally, each business must store its currency, cannabis or cannabis-infused products in a separate secured vault. Where the licensees share more than 50% of the same ownership in said businesses, the businesses may share a vault.

(iii) For transporting organization, petitioner is required to submit a loading, transporting and unloading plan for review and approval by the Village.

10-14-6: PERMITTED LOCATIONS FOR CANNABIS BUSINESS ESTABLISHMENTS:

- (A) Adult-Use and Medical Cannabis Dispensing Organizations shall be permitted only as a special use along Sibley Boulevard as shown on Exhibit 1 to this Ordinance
- (B) Adult-Use Cannabis Dispensaries with a Cannabis Consumption Lounge/Café shall be permitted only as a special use along Sibley Boulevard as shown on Exhibit 1 to this Ordinance.

- (C) Adult-Use Cannabis Craft Growers, Cultivation Centers, Infuser Organizations, Processing Organizations, and Transportation Organizations shall be permitted only as a special use in the following locations:
1. Commercial Zoning Districts.
 2. Manufacturing Zoning Districts.
- (D) Co-Location of Cannabis Business Establishments. The only cannabis business establishments that may co-locate are an Adult-Use Cannabis Dispensing Organization with an Adult-Use Cannabis Craft Grower or an Adult-Use Cannabis Infuser Organization, or both. Co-located Cannabis Business Establishments shall only be permitted as a special use in commercial and manufacturing districts.

10-14-7: **USE STANDARDS/REGULATIONS:**

- (A) **Adult-Use Cannabis Dispensing Organization**. In the areas in which an Adult-Use Cannabis Dispensing Organization may be located, the proposed facility must comply with the following:
1. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this subsection
 2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older
 3. The facility may not be located in a dwelling unit or within a residential zoning district.
 4. The facility may not be within 1,500 feet of a pre-existing dispensing facility.
 5. At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by state statute.
 6. No dispensing organization shall sell food for consumption on the premises except as authorized by subsection B, below, in the same tenant space.
 7. The facility may not conduct any sales or distribution of cannabis other than as authorized by state statute.
 8. The hours of operation of an adult-use dispensing facility are between 6AM to 10PM.
 9. A minimum of two (2) employees must be working at the dispensary at all times it is open.

10. All site lighting and inside the dispensary building must be provided and kept in good working order and of sufficient wattage for security cameras and the safety of customers and employees.
11. All product storage, display, and sales must be conducted inside an enclosed building. Drive-through facilities are prohibited.
12. Cannabis products shall be sold at retail at the dispensary but are prohibited from being cultivated, processed, or manufactured within the dispensary.
13. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding the Facility Components set forth in Section 10-14-5 of this Chapter, Adult-Use Cannabis Dispensing Organizations, and all other requirements of the Act.
14. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(B) **Adult-Use Cannabis Dispensing Organization with a Cannabis Consumption Lounge/Cafe.**

1. General Standards. In the areas in which an Adult-Use Cannabis Dispensing Organization with a Cannabis Consumption Lounge/Cafe may be located, the proposed facility must comply with the following:
 - a. The facility must be located in a free-standing building.
 - b. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this subsection.
 - c. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older
 - d. The facility may not be located in a dwelling unit or within a residential zoning district.
 - e. The facility may not be within 1,500 feet of a pre-existing dispensing facility.
 - f. At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by state statute.
 - g. Cannabis-infused food may be sold for consumption on the premises to customers who consume said cannabis-infused food in the adjoining cannabis lounge/café.

- h. The facility may not conduct any sales or distribution of cannabis other than as authorized by state statute.
 - i. The hours of operation of an adult-use dispensing facility are between 6AM to 10PM.
 - j. A minimum of two (2) employees must be working at the dispensary at all times it is open.
 - k. All site lighting and inside the dispensary building must be provided and kept in good working order and of sufficient wattage for security cameras and the safety of customers and employees.
 - l. All product storage, display, and sales must be conducted inside an enclosed building. Drive-through facilities are prohibited.
 - m. Cannabis products shall be sold at retail at the dispensary but are prohibited from being cultivated, processed, or manufactured within the dispensary.
 - n. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding Facility Components set forth in Section 10-14-5 of this Chapter, Adult-Use Cannabis Dispensing Organizations, and all other requirements of the Act.
 - o. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.
2. Required Standards for the Cannabis Consumption Lounge/Café. In addition to the above listed standards, the designated area for the cannabis consumption lounge/café must comply with the following:
- a. The designated cannabis consumption lounge must be located in a non-work area where employees are not required to enter the designated area as a condition of their employment.
 - b. The designated cannabis consumption lounge shall have signage to designate the said lounge, which signage and its location(s) shall be subject to prior approval by the Village.
 - c. The designated cannabis consumption lounge shall have a separate heating, ventilation and air-conditioning (HVAC) system such that none of the air in the lounge will be recirculated into other parts of the cannabis business' premises.
 - d. The designated cannabis consumption lounge shall exhaust 100% of the air directly to the outside through pollution and odor control units that, at a minimum, eliminates all detectable odor, smoke and by-product of combustion so as to prevent any and all public nuisances.
 - e. The designated cannabis consumption lounge shall be completely separated from the remainder of the premises by solid partitions or glazing without

openings other than doors and all doors leading to the designated cannabis consumption lounge must be self-closing.

- f. The designated cannabis consumption lounge shall not be directly accessible from the primary outside entrance to the dispensary and may not be visible from the fronting street or store front. The cannabis consumption lounge must be contained within the existing licensed dispensary.
- g. The hours of operation shall be the same as the adjoining dispensary.
- h. There must be at least one (1) employee working in the designated cannabis consumption lounge at all times that it is open.
- i. Cannabis and cannabis-infused products shall not be sold or distributed in the designated cannabis consumption lounge.
- j. Only cannabis and/or cannabis-infused products purchased in the adjoining dispensary may be used or consumed in the designated cannabis consumption lounge.
- k. A restroom, with handwashing facilities that can be used by the customers shall be provided.

(C) **Medical Cannabis Dispensing Organization.** A special use permit shall be required for a medical cannabis dispensing organization to operate within the Village's corporate limits. This subsection (C) pertains to the operation of a facility that only dispenses medical related cannabis and cannabis related products. In the areas in which a Medical Cannabis Dispensing Organization may be located, the proposed facility must comply with the following:

1. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this subsection.
2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older.
3. The facility may not be located in a dwelling unit or within a residential zoning district.
4. The facility may not conduct any sales or distribution of medical cannabis other than as authorized by state statute.
5. The hours of operation of a medical cannabis facility may be between 6:00 A.M. and 10:00 P.M.
6. A minimum of two (2) employees must be working at the dispensary at all times it is open.

7. All site lighting and inside the dispensary building must be provided and kept in good working order and of sufficient wattage for security cameras and the safety of customers and employees.
8. All product storage, display, and sales must be conducted inside an enclosed building. Drive-through facilities are prohibited.
9. Medical cannabis products shall be sold at retail at the dispensary but are prohibited from being cultivated, processed, or manufactured within the dispensary.
10. Verification that the proposed facility complies with the required spacing and location requirements of state law.
11. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Facility Components set forth in Section 10-14-5 of this Chapter, Medical Cannabis Dispensing Organizations, and all other requirements of the Compassionate Use of Medical Cannabis Program Act.
12. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(D) **Adult-Use Cannabis Craft Grower.** In the areas in which an Adult-Use Cannabis Craft Grower may be located, the proposed facility must comply with the following:

1. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and /trade centers shall not be classified as a public or private school for purposes of this subsection.
2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older.
3. The facility may not be located within a residential zoning district.
4. The facility may not be located within 1,500 feet of another craft grower or cultivation center.
5. The facility must be in an enclosed, locked space.
6. The facility may not conduct any sales or distribution of cannabis other than as authorized by state law.
7. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding the Facility Components set forth in Section 10-14-5 of this Chapter, Adult-Use Cannabis Craft Growers, and all other requirements of the Act.
8. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(E) **Adult-Use Cannabis Cultivation Centers.** In the areas in which an Adult-Use Cannabis Cultivation Center may be located, the proposed facility must comply with the following:

1. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this subsection.
2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older.
3. The facility may not be located within residential zoning district.
4. The facility may not be located within 1,500 feet of another cultivation center or a craft grower.
5. The facility must be in an enclosed, locked space.
6. The facility may not conduct any sales or distribution of cannabis other than as authorized by state law.
7. A facility shall not transport cannabis to a licensed craft grower, dispensing organization, infuser organization, or a laboratory unless it has obtained a transporting organization license.
8. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding the Facility Components set forth in Section 10-14-5 of this Chapter, Adult-Use Cannabis Cultivation Centers, and all other requirements of the Act.
9. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(F) **Medical Cultivation Center.** A special use permit shall be required for a medical cultivation center to operate within the Village's corporate limits. This subsection (F) pertains to the operation of a facility that only cultivates medical cannabis. In the areas in which a Medical Cultivation Center may be located, the proposed facility must comply with the following:

1. The facility may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.
2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older.

3. The facility may not be located within 1,500 feet of another cultivation center or a craft grower.
4. The facility must be in an enclosed, locked space.
5. The facility may not conduct any sales or distribution of cannabis other than as authorized by state law.
6. A facility shall not transport cannabis to a licensed craft grower, dispensing organization, infuser organization, or a laboratory unless it has obtained a transporting organization license.
7. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding the Facility Components set forth in Section 10-14-5 of this Chapter, Medical Cultivation Centers, and all other requirements of the Act.
8. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(G) **Adult-Use Cannabis Infuser Organizations.** In the areas in which an Adult-Use Cannabis Cultivation Center may be located, the proposed facility must comply with the following:

1. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this subsection.
2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older.
3. The facility may not be located a residential zoning district.
4. The facility must be in an enclosed, locked space.
5. At least 75% of the floor area of any tenant space occupied by an infusing organization shall be devoted to the activities of the infusing organization as authorized by state statute
6. The facility may not conduct any sales or distribution of cannabis other than as authorized by state law.
7. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding the Facility Components set forth in Section 10-14-5 of this Chapter, Adult-Use Cannabis Infuser Organizations, and all other requirements of the Act.
8. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(H) **Adult-Use Cannabis Processing Organization.** In the areas in which an Adult-Use Cannabis Processing Organizations may be located, the proposed facility must comply with the following:

1. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this subsection.
2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older.
3. The facility may not be located in a residential zoning district.
4. The facility may not conduct any sales or distribution of cannabis other than as authorized by state law.
5. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding the Facility Components set forth in Section 10-14-5 of this Chapter, Adult-Use Cannabis Processing Organizations, and all other requirements of the Act.
6. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(I) **Adult-Use Cannabis Transporting Organization.** In the areas in which an Adult-Use Cannabis Transporting Organizations may be located, the proposed facility must comply with the following:

1. The facility may not be located within 200 feet of the property line of a pre-existing public or private nursery school, preschool or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this subsection.
2. The facility may not be located within 200 feet of a place of worship, park/playground, library, or a games arcade establishment or recreation center or facility to which admission is not restricted to persons 21 years or older.
3. The facility may not be located within a residential zoning district.
4. The transporting organization shall be the sole use of the tenant space in which it is located.
5. The facility may not conduct any sales or distribution of cannabis other than as authorized by state law.
6. Petitioner shall file an affidavit, provided by the Village, with the Village affirming compliance with the Village of Dolton's regulations regarding the Facility

Components set forth in Section 10-14-5 of this Chapter, Adult-Use Cannabis Transporting Organizations, and all other requirements of the Act.

7. The facility shall comply with the zoning requirements set forth in the Zoning Code for the zoning district in which it is located.

(J) **Co-Location of Cannabis Business Establishments.** The Village may approve the co-location of an Adult-Use Cannabis Dispensing Organization with an Adult-Use Cannabis Craft Grower Center or an Adult-Use Cannabis Infuser Organization, or both as a special use, in a location approved for said uses as set forth in Section 10-14-6 of this Chapter, subject to the provisions of state law and the criteria set forth for each individual cannabis business set forth in subsections (A), (D) and (G) of this Section. Additionally, the proposed facility must comply with the following:

1. A cannabis consumption lounge/café shall not be allowed in the adult-use cannabis dispensary.
2. The floor space requirements set forth in subsections (A)5 and (G)6 of this Section.

10-14-8: **PARKING REQUIREMENTS:**

- (A) The cannabis business establishment shall be required to comply with the parking requirements applicable to the underlying zoning district unless otherwise approved by the Village Board.
- (B) Parking shall be located in an area which is visible from a public road and must be accessed directly from a public street.
- (C) Parking areas shall be well lit and monitored by video surveillance equipment with live images that can be viewed by agents of the cannabis business establishment and continually recorded in a tamper proof format.

10-14-9: **EXTERIOR DISPLAY, SIGNAGE AND ADVERTISING:**

- (A) No cannabis business establishment shall be maintained or operated in a manner that causes, creates or allows the public viewing of cannabis paraphernalia or similar products from any sidewalk, right-of-way, or any property other than the lot on which the cannabis business establishment is located. No portion of the exterior of the cannabis business establishment shall use or contain any flashing lights, search lights, spot lights, or any similar lighting system.
- (B) Signage shall comply with the standards of the underlying zoning district unless otherwise approved by the Village Board.
- (C) No cannabis business establishment shall have signage or engage in advertising that is not in compliance with state law (410 ILCS 705/55-20), including but not limited to the following:
 1. Within 1000 feet of school grounds, playgrounds, hospitals, health care facilities, recreation centers, child care centers; public parks, public libraries; or game arcades that admit persons under the age of 21.

2. That promotes the overconsumption of cannabis.
3. That displays cannabis.
4. That shows someone under 21 consuming cannabis.
5. That makes health or medicinal claims about cannabis.
6. That includes any image of the cannabis leaf or bud.
7. That includes any image that is likely to appeal to minors.
8. On or in publicly owned or publicly operated property.
9. On or in a public transportation vehicle or on a public transportation shelter.
10. That is false or misleading.

(D) A sign shall be posted in a conspicuous place at or near the cannabis business establishment entrances that shall include the following language: “Persons under the age of 21 are prohibited from entering.” The required text shall be no smaller than one inch (1”) in height nor greater than twelve inches (12”) in height.

10-14-10: **OTHER DEVELOPMENT RESTRICTIONS:**

(A) **General Restrictions:**

1. No cannabis business establishment shall allow any person who is not at least twenty-one (21) years of age on the premises or employ anyone under the age of twenty-one (21) years of age.
2. A cannabis business establishment shall maintain compliance with state law and local building, fire and zoning requirements or regulations.
3. No adult-use cannabis business shall operate in violation of the operational requirements and prohibitions set forth in the section applicable to its specific business in 410 ILCS 705/1 *et seq.*, which are adopted and incorporated herein by reference as if fully set forth herein.
4. No medical cannabis dispensary or cultivation center shall operate in violation of the requirements and prohibitions set forth in the section applicable to its specific business in 410 ILCS 130/1, *et seq.*, which are adopted and incorporated herein by reference as if fully set forth herein.
5. Loitering is prohibited on the property or licensed premises of a cannabis business establishment.
6. No cannabis business establishment shall allow any person to smoke, inhale or consume cannabis or cannabis products on the property and licensed premises occupied by the cannabis business establishment unless it is a licensed adult-use cannabis dispensary with a licensed cannabis lounge/café. A sign, at least 8.5 by 11 inches, shall be posted inside the cannabis business establishment facility in a conspicuous place and visible to employees and clients and shall include the

following language: “Smoking, eating, drinking or other forms of consumption of cannabis products on the property is strictly prohibited.”

(B) **Restrictions Applicable to Cannabis Dispensaries.** In addition to the above enumerated general restrictions, the following restrictions shall apply to a licensed cannabis dispensary:

1. The sale of cannabis and cannabis products to individual at any given time shall not exceed the following amounts:
 - (i) For an Illinois resident who is twenty-one (21) years or older:
 - a. 30 grams of cannabis flower;
 - b. No more than 500 milligrams of THC contained in a cannabis-infused product; and
 - c. 5 grams of cannabis concentrate.
 - (ii) For a non-Illinois resident who is twenty-one (21) years or older:
 - a. 15 grams of cannabis flower;
 - b. 2.5 grams of cannabis concentrate; and
 - c. 250 milligrams of THC contained in a cannabis-infused product.
- The purchase limits set forth in subsections (i) and (ii) are considered cumulative.
2. No “delivery” service to any location.
3. No drive-thru facilities.
4. Dispensaries shall not enter into agreements to allow persons who are not dispensing organization agents to deliver cannabis or transport cannabis to purchasers.
5. No cannabis odors shall be detectable outside the dispensary.
6. Operation of the dispensary is prohibited when video surveillance equipment is inoperative.
7. Operation of the dispensary is prohibited when point-of-sale equipment is inoperative.
8. Operation of the dispensary is prohibited when the State’s cannabis electronic verification system is inoperative.
9. Operation of the dispensary is prohibited when there are fewer than two (2) employees working. No alcoholic products can be sold in the dispensary, except tinctures, which must be limited to containers that are no larger than 100 milliliters.
10. The cannabis and cannabis-infused products must be packaged and labels with the name of the dispensing organization, the contents, the weight of the raw cannabis [grams] or, for cannabis products, the amount of THC [mg].

11. The age of the purchaser shall be verified by checking a government-issued identification card by use of an electronic reader or electronic scanning device to scan the identification.
12. Specific required sales information on each sale must be entered into the State's cannabis electronic verification system.
13. The dispensary shall only accept cannabis deliveries into a restrictive access area. Deliveries may not be accepted through the public or limited access areas unless otherwise approved by state statute.
14. Dispensaries shall not sell cannabis, cannabis concentrate, or cannabis-infused products in combination or bundled with each other or any other items for one price. Each item of cannabis, cannabis concentrate, or cannabis-infused products must be separately identified by quantity and price on the receipt.
15. Clones or other live plant material shall not be sold in dispensaries.
16. Dispensaries shall not allow the dispensing of cannabis or cannabis-infused products in vending machines.
17. Dispensaries shall not produce or manufacture cannabis.
18. A dispensary shall not accept a cannabis product from a cultivation center, craft grower, infuse, dispensing organization, or transporting organization unless it is prepackaged and labeled in accordance with state statute and any rules that may be promulgated thereunder.
19. A dispensary shall not obtain cannabis or cannabis-infused products from any other state other than the State of Illinois.
20. A dispensary shall not sell medical cannabis or medical cannabis-infused products to a purchaser unless the dispensary is licensed under the Compassionate Use of Medical Cannabis Program Act and the purchaser is registered under said Act.

(C) **Restrictions Applicable to Cannabis Consumption Lounges/Cafes.** A licensed cannabis consumption lounge/café shall comply with all of the restrictions set forth in subsections (A) and (B) of this Section. A cannabis consumption lounge/café shall further comply with the following restrictions:

1. A training plan, subject to approval by the Village, by which employees and principals will receive and successfully complete training regarding the effects of cannabis, use, over consumption, safety standards, and sanitation standards, with such training to be provided by a properly licensed provider capable of certifying the successful completion of training. The curriculum must consist of not fewer than two (2) hours of instruction and include, without limitation, instruction on the following topics:
 - (a) The clinical effects of cannabis on the human body;
 - (b) Methods of identifying intoxicated persons;

- (c) Relevant provisions of state law and village ordinances concerning the selling and possession of cannabis;
 - (d) Proper sanitation with respect to the use of cannabis paraphernalia and the consumption of edibles;
 - (e) Methods of preventing and halting fights and other disturbances of the peace; and
 - (f) Methods of preventing the entry of underaged persons into the cannabis consumption lounge/café.
2. A fire safety plan, subject to approval by the Village Fire Department, designed to ensure the safety of employees, patrons and the public.
 3. Cannabis consumption shall not be visible from any public place or any area on the premises other than in the cannabis consumption lounge/café.
 4. The cannabis consumption lounge/café is to be located in an area of the premises where employees are not required to enter as a condition of their employment unless such employee were hired to specifically work in the lounge/café.
 5. The Operations and Maintenance Manual for the ventilation system must be kept on-site and provided to all managers, building engineer and building owners. The manual shall include:
 - (a) The approved ventilation system installed shall be properly maintained and documented as stated in the operations and maintenance manual following standard practices, and as specified by the manufacturer.
 - (b) Documentation of the installation and/or maintenance of the ventilation system shall be preserved for five (5) years after installation or maintenance.
 6. The cannabis consumption lounge/café must be vermin proof and shall be constructed and maintained so as to prevent the entrance and harborage of vermin.

SECTION 2: Conflict. All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are hereby repealed.

SECTION 3: Severability. If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance shall be severable.

SECTION 4: Effective Date: This Ordinance shall be in full force and effect from and after its passage and approval and publication as provided by law.

PASSED AND APPROVED this 2nd day of March, 2020.



RILEY H. ROGERS, Mayor

ATTEST:



MARY KAY DUGGAN, Village Clerk

Ayes:	5	Brown, Henyard, Holmes, House, Steave
Nays:	0	
Absent:	1	Denton
Abstain:	0	