

ORDINANCE NO. 778

VILLAGE OF BELLEVUE

AN ORDINANCE PROHIBITING
CANNABIS DISPENSING ORGANIZATIONS

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

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the Village has the authority to prohibit adult-use cannabis business establishments; and

WHEREAS, the Village has determined that the operation of adult-use cannabis dispensing organizations would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the Village; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Bellevue as follows:

Section 1. Recitals. 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. Definitions.

The following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this section, as follows:

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT: A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

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.

PERSON: Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

Section 3. Adult-Use Cannabis Dispensing Organizations Prohibited.

Adult-Use Cannabis Dispensing Organizations are prohibited in the Village of Bellevue. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation of Adult-Use Cannabis Dispensing Organizations within the Village of Bellevue.

Sec. 4. Public Nuisance Declared.

Operation of any Adult-Use Cannabis Dispensing Organization within the Village in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

Sec. 5. Violations.

Violations of this Chapter may be enforced in accordance with the provisions of Village Ordinance No. 473.

Section 6. Severability. 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, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

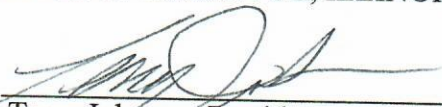
PASSED AND APPROVED THIS 22nd DAY OF October, 2019.

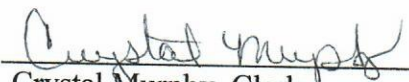
AYES: 6

NAYS: 0

ABSENT: 1

VILLAGE OF BELLEVUE, ILLINOIS

By: 
Terry Johnson, President

Attest: 
Crystal Murphy, Clerk