

ORDINANCE NO. 828

VILLAGE OF BELLEVUE, ILLINOIS

ORDINANCE AMENDING ORDINANCE NO. 553 (ZONING) OF THE VILLAGE OF
BELLEVUE PERTAINING TO ADULT USE BUSINESS CANNABIS ESTABLISHMENTS

WHEREAS, the Village of Bellevue, Illinois, has enacted ordinances for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act (the "Act"), which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis, which became effective June 25, 2019; and

WHEREAS, pursuant to the Act, 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 Zoning Commission of the Village conducted a public hearing, as required by law, on February 13, 2024, in regards to this ordinance; and

WHEREAS, the Zoning Commission recommended approval of this ordinance; and

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

Section 1: The recitals set forth above are incorporated herein.

Section 2: Ordinance No. 553, Article 6, Section 6.3B, permitted uses in C-3 district, shall be amended to add the following use:

- Adult Use Cannabis Establishments as defined in Ordinance No. 553, Article 25, Section 25.3

Section 3: Ordinance No. 553, Article 25, Section 25.2 shall be deleted in its entirety and replaced with the following:

25.2 Permitted as special use. Adult-Use Cannabis Business Establishments shall be permitted in the C-1 and C-2 zoning districts only upon approval by the Village Board after a hearing before the Village Zoning Commission as set forth in Section 24.3, Special uses, of Article 24 of Ordinance No. 553.

Section 4: Ordinance No. 553, Article 25, Section 25.3 shall be deleted in its entirety and replaced with the following:

25.3 *Defined.* The following words and phrases shall, for the purposes of this Article, 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.

ADULT-USE CANNABIS CRAFT GROWER: 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, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

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.

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.

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.

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.

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

Section 5: Ordinance No. 778, "An Ordinance Prohibiting Cannabis Dispensing Organizations," is hereby repealed in its entirety.

Section 6: This Ordinance shall be effective as of the date of its passage.

PASSED AND APPROVED THIS 13th DAY OF February, 2024.

AYES: 6
NAYS: 0
ABSENT: 0

VILLAGE OF BELLEVUE, ILLINOIS

By: Larry D. Merriman
Larry D. Merriman, President

ATTEST: Susan Pesch
Susan Pesch, Clerk