

**VILLAGE OF WARRENSBURG, ILLINOIS**

**ORDINANCE NO. 747**

**AN ORDINANCE AMENDING TITLE 3 OF THE VILLAGE CODE OF  
WARRENSBURG, ILLINOIS, BY ADDING CHAPTER 9 ENTITLED  
“CANNABIS BUSINESS ESTABLISHMENTS PROHIBITED”**

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**ADOPTED BY THE  
BOARD OF TRUSTEES  
OF THE VILLAGE OF WARRENSBURG**

**this 4<sup>th</sup> DAY OF MAY, 2020**

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**Published in pamphlet form by authority of the Board of Trustees of  
the Village of Warrensburg, Macon County, Illinois,  
this 4<sup>th</sup> day of May, 2020**

**ORDINANCE NO. 747**

**AN ORDINANCE AMENDING TITLE 3 OF THE VILLAGE CODE OF WARRENSBURG, ILLINOIS, BY ADDING CHAPTER 9 ENTITLED "CANNABIS BUSINESS ESTABLISHMENTS PROHIBITED"**

**WHEREAS**, the Village of Warrensburg ("Village") has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and 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 cannabis business establishments 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

**WHEREAS**, an advisory referendum was held and the majority of Warrensburg voters voted against allowing the operation of cannabis business establishments.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Warrensburg 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: Cannabis Business Establishments Prohibited.** Title 3 of the Municipal Code of the Village of Warrensburg shall be amended by the addition of Chapter 9 that shall read as follows:

## CHAPTER 9 Cannabis Business Establishments Prohibited.

**3-9-1: Definitions.** The following words and phrases shall, for the purposes of this Chapter 9, 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 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 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 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.

**3-9-2 Cannabis Business Establishments Prohibited.** The following Adult-Use Cannabis Business Establishments are prohibited in the Village of Warrensburg. No person shall locate, operate, own, suffer, allow to be

operated or aide, abet or assist in the operation within the Village of Warrensburg of any of the following:

- Adult-Use Cannabis Craft Grower
- Adult-Use Cannabis Cultivation Center
- Adult-Use Cannabis Dispensing Organization
- Adult-Use Cannabis Infuser Organization or Infuser
- Adult-Use Cannabis Processing Organization or Processor
- Adult-Use Cannabis Transporting Organization or Transporter

**3-9-3 Public Nuisance Declared.** Operation of any prohibited Cannabis Business Establishment within the Village in violation of the provisions of this Chapter 9 is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

**3-9-4 Violations.** Violations of this Chapter 9 may be enforced in accordance with the provisions of Title 1, Chapter 4 of this Code.

**SECTION 3: 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 4: Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

ADOPTED THIS 4<sup>th</sup> day of May, 2020.

TRUSTEES:

Ray Ewing	Aye - ___	Nay - ___	Absent - ___
Douglas Fisher	Aye - ___	Nay - ___	Absent - ___
Leland Hackl	Aye - ___	Nay - ___	Absent - ___
Kerry Hood	Aye - ___	Nay - ___	Absent - ___
Nelson E. Lock	Aye - ___	Nay - ___	Absent - ___
John Oakley	Aye - ___	Nay - ___	Absent - ___
Corey Maloney	Aye - ___	Nay - ___	Absent - ___

PRESENTED, PASSED and APPROVED this 4<sup>th</sup> day of May, 2020.

RECORDED this 4<sup>th</sup> day of May, 2020.

APPROVED:

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*President of the Board of Trustees  
of the Village of Warrensburg, IL*

ATTEST:

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*Village Administrative Clerk  
of Warrensburg, Illinois*

## CERTIFICATE

I, CYNTHIA A. HUNDLEY, certify that I am the duly appointed Village Administrative Clerk of the Village of Warrensburg, Macon County, Illinois.

I further certify that on the 4<sup>th</sup> day of May, 2020 the President and Board of Trustees of the Village of Warrensburg passed and approved Ordinance No. 747 entitled “An Ordinance Amending Title 3, by Adding Chapter 9 entitled ‘Cannabis Business Establishments Prohibited’,” which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 747, including Ordinance and cover sheet thereof was prepared, a copy of such Ordinance was posted in the Warrensburg Village Hall, the Barclay Public Library, and Warrensburg Post Office, commencing May 6, 2020, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Administrative Clerk.

DATED at Warrensburg, Illinois this 6<sup>th</sup> day of May, 2020.

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*Village Administrative Clerk of the  
Village of Warrensburg, Illinois*