

VILLAGE OF MAPLE PARK

ORDINANCE NO. 2019-21

**AN ORDINANCE AMENDING TITLE 6, POLICE REGULATIONS, OF THE MAPLE
PARK VILLAGE CODE, BY ADDING A NEW CHAPTER 7 ENTITLED CANNABIS**

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK
KANE AND DEKALB COUNTIES, ILLINOIS**

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this 3rd day of December, 2019.

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WHEREAS, the 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, the Village has determined that it must update its Municipal Code in order to reflect the new Illinois State law regarding cannabis use and possession.

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

SECTION 1. Recitals. The facts and statements contained in the preamble to this Ordinance are hereby adopted as part of this Ordinance.

SECTION 2. Cannabis Business Establishments Prohibited. Title 6 of the Municipal Code of the Village of Maple Park shall be amended by the addition of Chapter 7 that will read as follows:

6-7-1 DEFINITION:

For the purposes of this section, the term "cannabis" includes marijuana, hashish and other substances which are identified as including any parts of the Cannabis sativa, whether growing or not; the seeds; the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake or the sterilized seed of such plant which is incapable of germination.

6-7-2: USE:

- A. It shall be unlawful to possess or use cannabis on a school bus, grounds of any childcare, primary, or secondary school, unless used by a qualifying patient or caregiver pursuant to the Compassionate Use or Medical Cannabis Pilot Program Act.
- B. It shall be unlawful to possess or use cannabis in a private residence used at any time to provide licensed childcare.

- C. It shall be unlawful to use cannabis in any motor vehicle, in any public place, or in any place where smoking is prohibited under the Smoke Free Illinois Act.
- D. It shall be unlawful to knowingly use cannabis in close proximity to anyone under the age of twenty-one (21) who is not a registered medical cannabis patient under the Compassionate Use of Medical Cannabis Pilot Program Act.

6-7-3: GROWING:

It shall be unlawful to grow cannabis unless authorized by the Compassionate Use of Medical Cannabis Pilot Program Act.

6-7-4: POSSESSION:

- A. It shall be unlawful for a person who is twenty-one (21) years or older and a resident of Illinois to possess more than:
 - 1. Thirty grams (30 g) of cannabis flower;
 - 2. Five Hundred milligrams (500 mg) of THC contained in a cannabis-infused product; or
 - 3. Five grams (5 g) of cannabis concentrate.
- B. It shall be unlawful for a nonresident of Illinois to possess more than:
 - 1. Fifteen grams (15 g) of cannabis flower;
 - 2. Two Hundred Fifty milligrams (250 mg) of THC contained in a cannabis-infused product; or
 - 3. Two and one-half grams (2.5 g) of cannabis concentrate.

6-7-5: VEHICLES:

It shall be unlawful for a parent or guardian to knowingly permit his or her residence or any other private property under his or her control, or any vehicle under his or her control to permit the consumption of cannabis by a person under the age of twenty-one (21).

6-7-6: VIOLATIONS:

Violations of this Chapter 7 of Title 6 may be enforced in accordance with the provisions of Section 1-4-1 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 3rd day of December, 2019.

AYES: Dries, Fahnstock, Harris, Higgins, Rebene, and Ward

NAYS: _____

ABSENT: _____

APPROVED THIS 3rd day of December, 2019.

Kathy Curtis, Village President

ATTEST:

Terri D'Amato, Acting Village Clerk

