

A SPECIAL ORDINANCE AMENDING CHAPTER 8
OF THE CODE OF ORDINANCES OF
THE CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One: The following Article is hereby added to Chapter 8 of the Code of Ordinances of the City of Rock Island, Illinois:

ARTICLE XX: RECREATIONAL CANNABIS BUSINESSES

Sec. 11-155 Purpose

It is the intent and purpose of this Article to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring within the corporate limits of the City of Rock Island. Such facilities shall comply with all regulations provided in the Illinois Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

Sec. 11-156 Definitions

Cannabis: Any species of the family *Cannabaceae* including but not limited to *Cannabis sativa*, *Cannabis indica*, and *Cannabis ruderalis* used for recreational, medicinal, or industrial purposes. This term shall refer to marijuana, hashish, and other substances that are identified as including any parts of the plant, 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 (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction or independently by chemical synthesis or by a combination of extraction and chemical synthesis; 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 the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Illinois Industrial Hemp Act. "Cannabis" also means concentrate and cannabis-infused products.

Cannabidiol (CBD): A chemical derived from cannabis that is used primarily for medical purposes. CBD has less pronounced psychoactive effects than THC.

Tetrahydrocannabinol (THC): A chemical derived from cannabis that is used primarily for recreational purposes. THC is the principal psychoactive chemical in cannabis.

Cannabis Business Establishment: An adult-use cannabis cultivation center, consumption business, craft grower, processing organization, infuser organization, dispensing organization, or transporting organization.

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.

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.

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.

Packaged Product Dispensing Business: Any premises where sale of packaged cannabis products is the principal use. Consumption of cannabis at these premises is prohibited.

On-Site Consumption Dispensing Business: Any premises wherein cannabis is sold at retail for consumption on the premises as the principal use. Such businesses include but are not limited to cannabis cafes, cannabis smoking lounges, cannabis vaping lounges, and cannabis clubs. These facilities may also engage in packaged cannabis sales.

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.

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.

Transportation Organization of 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.

Hemp: Otherwise known as “industrial hemp,” this material is made from Cannabis with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis that has been cultivated under a license issued under the Illinois Industrial Hemp Act or is otherwise lawfully present in the State of Illinois, and includes any intermediate or finished product made or derived from industrial hemp. Hemp shall not be subject to this Article.

11-157 Zoning Regulations

1. Cannabis craft growing facilities and cultivation centers shall be a permitted use in all agricultural and industrial zoning districts.
2. Cannabis infuser organizations, processing organizations, and transportation organizations shall be a permitted use in all industrial zoning districts.
3. Packaged product dispensing businesses shall be a permitted use in all industrial and business zoning districts.
4. On-site consumption dispensing businesses shall be a permitted use in all industrial zoning districts and all business zoning districts except the B-1: Neighborhood Business District.
5. Co-Location of a Dispensing Organization and a Craft Grower Center or an Infuser Organization, or both, shall be permitted. In such case, the floor space requirements of Section 11-158 Subsection 2 shall not apply, but the co-located establishments shall be the sole use of the tenant space. Such co-located establishments shall be a permitted use in all agricultural and industrial zoning districts.
6. All cannabis business establishments shall be located at least one hundred feet (100’) in distance from any residential zoning district.

11-158 General Regulations

1. Packaged cannabis sales shall be permitted only at licensed packaged product dispensing businesses. Consumption of cannabis shall be permitted only at licensed on-site consumption businesses or elsewhere as authorized by the Illinois Cannabis Regulation and Tax Act.
2. At least seventy-five percent (75%) of the floor area of any tenant space occupied by a cannabis business establishment shall be devoted to the activities of said business as authorized by the Illinois Cannabis Regulation and Tax Act. A facility may not conduct any sales or distribution of cannabis other than as authorized by the Illinois Cannabis Regulation and Tax Act.
3. Cannabis Business Establishments shall install building enhancements, such as security cameras, lighting or other improvements to ensure the safety of its employees and customers as well as its environs. Said improvements shall be determined based on the specific characteristics of the building floor plan and the site on which it is located and shall be consistent with the requirements of the Illinois Cannabis Regulation and Tax Act.

4. Cannabis Business Establishments shall keep their State issued license and registration documents in a conspicuous location in an area of the business accessible to consumers and/or State and City officials at all times.
5. Cannabis Business Establishments shall immediately produce upon request by City staff the following information.
 - a) Name of the business.
 - b) Names of the business owners.
 - c) Names and mailing addresses of all individuals who have an ownership interest in the business.
 - d) Names and addresses of all other persons who work on the business premises whether employees or independent contractors of the business along with a description of the work performed.
 - e) Government issued photo identification card for all employees or independent contractors of the business to verify and confirm identify of individuals referenced above.
6. All Cannabis Business Establishments shall comply with the Illinois Cannabis Regulation and Tax Act, as it may be amended from time-to-time, and the regulations therein.

Section Two: The Rock Island Zoning Code is hereby amended by adding the following language at the end of Article VIII General Provisions:

Zoning regulations for recreational cannabis are as stated in Chapter 8 Article 20 of the Code of Ordinances of the City of Rock Island, Illinois.

Section Three: All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Four: This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: _____

APPROVED: _____

ATTEST: _____

CITY CLERK