



# Office of the City Clerk

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## Legislation Text

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### SUBSTITUTE ORDINANCE

WHEREAS, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, in August of 2013, the State of Illinois enacted the Compassionate Use of Medical Cannabis Pilot Program Act (hereinafter the "Act"), which pertains to the cultivation and dispensing of medical marijuana for use in serious diseases causing chronic pain and debilitating conditions, which became effective January 1, 2014; and

WHEREAS, pursuant to the Act, the City of Chicago may enact reasonable zoning- ordinances regulating medical cannabis cultivation centers and dispensing facilities; and

WHEREAS, since marijuana remains illegal under federal law, federally regulated financial institutions generally do not provide banking services to marijuana-related businesses; and

WHEREAS, all-cash medical cannabis cultivation centers and dispensing facilities pose serious public safety concerns; and

WHEREAS, in Denver, Colorado, there were 317 burglaries and seven robberies reported at the city's more than 700 licensed marijuana stores and cultivation facilities in the last two years; and

WHEREAS, in California, medical marijuana facilities have been the targets of numerous robberies, and there have been at least three fatal shootings involving Southern California's medical marijuana industry this year; and

WHEREAS, U.S. Attorney General Eric H. Holder Jr. has acknowledged the serious public safety issues concerning marijuana businesses; and

WHEREAS, the corporate authorities of the City of Chicago hereby determine that is in the best interest of the health, safety, and welfare of the residents of the city to adopt the following use regulations relating to medical cannabis cultivation centers and dispensing facilities; NOW THEREFORE

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Section 17-9-0129 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

**17-9-0129 Medical Cannabis Dispensing Organizations and Cultivation Centers.**

Medical cannabis dispensing organizations and cultivation centers shall comply with the following standards:

L Medical cannabis dispensing organizations and cultivation centers shall not be located in any building, or other structure, that contains a dwelling unit.

2. Medical cannabis dispensing organizations and cultivation centers shall be required to retain the services of an Illinois licensed private security contractor and maintain a private security contractor presence at their facilities 24 hours per day and 7 days per week.

3. The loading and unloading of any cannabis or cannabis-infused products shall be conducted under the supervision of an Illinois licensed private security contractor.

4. Medical cannabis dispensing organizations shall not be maintained or operated in a manner that causes, creates, or allows the public viewing of any cannabis, cannabis-infused products, cannabis paraphernalia, or similar products from any sidewalk, or public or private right-of way.

SECTION 3. This ordinance shall be in full force and effect upon its passage and publication.