



# Office of the City Clerk

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## Legislation Text

File #: O2019-6979, Version: 1

City Council Meeting September  
18<sup>th</sup>, 2019

Referred to Committee on Zoning, Landmarks and Building Standards

### 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 affairs including the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the State of Illinois has passed the Cannabis Regulation and Tax Act (hereinafter the "Act"), allowing for the sale and possession of cannabis, effective January 1, 2020; and

WHEREAS, pursuant to the Act, the City of Chicago may enact reasonable zoning and licensing ordinances regulating the sale and possession of Cannabis, and encouraging the equitable ownership of cannabis organizations operating in the City of Chicago, and for the purpose of implementing one of the intents of the Act to eliminate unequal enforcement of laws designed to prevent illicit drug use and sales; and

WHEREAS, the corporate authorities of the City of Chicago hereby determine that it is in the best interest of the health, safety, and welfare of the residents of the city to adopt the following use regulations, licensing requirements, and enforcement provisions relating to licensed cannabis organizations; 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 of hereof as though fully set forth herein

SECTION 2. Title 4 of the Municipal Code of Chicago is hereby amended as follows: 4-5-010

Establishment of License Fees

(41) Regulated business license Cannabis Organization (AAA)

Type/size	Fee
Dispensing Organization with showroom of less than 2000 square feet	\$500
Dispensing Organization with showroom between 2000 and 4000 square feet	\$1500
Dispensing Organization with showroom between 4000 and 6000 square	\$2500

feet

Dispensing Organization with showroom greater than 6000 square feet	\$10,000
Cannabis Transporting Organization	\$1000
Cannabis Infuser Organization	\$2500

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Cannabis Craft Grower	\$5000
Cannabis Cultivator	\$50,000
Cannabis Cafe	\$100
Onsite Cannabis consumption co.-location	\$5000
Incidental cannabis consumption license	\$2500
Professional Services onsite consumption	\$1000

**4-6-010 Regulated business license.**

(c) Business activities requiring a regulated business license under this chapter shall include ■] the following: (1) health club; (2) clothing alteration; (3) laundry service; (4) residential real estate developer; (5) tattooing, body piercing or tanning facility; (6) day labor agency; (7) adult family care center; (8) assisted living establishment; (9) long-term care facility; (10) adult family care home; (11) automatic amusement operator; (12) private scavenger; (13) secondhand dealer in children's clothing and children's products only; (14) junk peddler; (15) debt collectors; (16) hospital; (17) hotel; (18) board-up company; (19) dry cleaner; (20) hazardous materials; (21) single-room occupancy buildings; (22) booting of motor vehicles; (23) immigration assistance; (24) expediter company; (25) expediter/natural person; (26) home occupation; (27) home repair; (28) bed-and-breakfast establishment; (29) vacation rentals;(30) pharmaceutical representatives; a«d-(31) massage establishments and massage services; (32) Cannabis Organizations.

**4-6-180 Hotel.**

(f) Prohibited acts. It shall be unlawful for any licensee engaged in the business of hotel to:

(2) knowingly permit prostitution, pimping, gambling or illegal possession or delivery of, or trafficking in, controlled substances or other drugs, ~~including cannabis~~, to occur on or immediately adjacent to the licensed establishment; or to fail to discover such illegal acts on or immediately adjacent to the licensed establishment under circumstances in which a reasonable person, exercising ordinary care and diligence, would infer that such activity is taking place; or to fail to report to the police in a timely manner any criminal activity occurring on or immediately adjacent to the licensed establishment, if such

**ARTICLE XXXI. CANNABIS ORGANIZATIONS (4-6-330 et seq.) 4-6-330**

**Cannabis Organizations**

(a) Definitions. As used in this article:

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"Cannabis" has the meaning ascribed to that term by both the Compassionate Use of Medical Cannabis Pilot Program or the Cannabis Regulation and Tax Act.

"Cannabis Business establishment" has the meaning ascribed to that term by the Cannabis Regulation and Tax Act.

"Cannabis Cafe" means a business opened expressly pursuant to this section for the primary purpose of allowing onsite consumption of cannabis.

"Commissioner" means the Commissioner of the Department of Business Affairs and Consumer Protection, or the Commissioner's designee.

"Craft grow" means any craft grow licensed pursuant to the Cannabis Regulation and Tax Act.

"Cultivator" means any cannabis Cultivator licensed pursuant to either the Compassionate Use of Medical Cannabis Pilot Program or the Cannabis Regulation and Tax Act.

"Department" means the Department of Business Affairs and Consumer Protection.

"Incidental Consumption License" means a license to allow certain types of cannabis consumption for existing businesses already licensed as bars, restaurants, or taverns.

"Infuser" means any cannabis infuser or producer licensed pursuant to either the Compassionate Use of Medical Cannabis Pilot Program or the Cannabis Regulation and Tax Act.

"Licensee" means any individual or entity licensed by the State of Illinois pursuant to the Cannabis Regulation and Tax Act.

"Onsite Cannabis Consumption co-location" means a cannabis cafe located on the premises or directly adjacent to the premises of a licensed cannabis dispensary.

"Person" has the same meaning as ascribed to that term in Section 1-4-090(e).

"Professional Services Onsite Consumption" means any doctor, researcher, health, wellness or beauty services professional that wishes to allow consumption on premises of cannabis incidental to the services that they provide.

"Transporter" means any individual or entity licensed to transport cannabis pursuant to either the Compassionate Use of Medical Cannabis Pilot Program or the Cannabis Regulation and Tax Act.

b) The licensing of all Cannabis Organizations already licensed pursuant to state law shall be perfunctory, as long as the licensed organization pays the licensing fees as designated in Section 4-5-010, and as long as all zoning requirements are met.

c) Consumption on premises licensing.

(1) Pursuant to the authority granted in the Cannabis Regulation and Tax Act, the City of Chicago will have

four different types of licensing that will allow for consumption of cannabis on the premises of a business:

a. Onsite co-locations. All licensed cannabis dispensaries may apply for an onsite consumption at their dispensary. There are two types of licenses available for licensed cannabis dispensaries:

i. Showroom sampling consumption license. The showroom sampling consumption license allows for the tasting or sampling of non-smokable

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cannabis products in the showroom incidental cannabis sales. These licenses shall not be subjected to special use permitting. ii. Onsite cafe license. Onsite cafe licenses are a form of cannabis cafes located either onsite or directly adjacent to licensed cannabis dispensaries. These licenses shall not be subject to special use permitting, conditioned upon compliance with 17-13-1003-LL (3) and the rest of this Section.

b. Cannabis Cafes. Cannabis Cafe licenses will be granted to businesses whose primary purpose are to exist to allow for the consumption on premises of cannabis. \*\*\*\*\*

c. Incidental License. Licensed restaurants and bars may apply for an incidental consumption on premises license pursuant to rules promulgated by the Commissioner

d. Professional licenses shall be granted pursuant to rules promulgated by the Commissioner to allow doctors, researchers, health, wellness and beauty professionals and services providers to allow for consumption on premises incidental to their services. The term professionals is not meant to exclude alternative health and other fitness practitioners, including licensed massage therapists, yoga instructors, chiropractors, naprapaths, and other alternative health practitioners.

2) Cannabis onsite consumption businesses located in areas zone B-1, B-2, or C-1 shall not allow consumption on premises of smokable cannabis after 9 p.m. and before 8 a.m.

3) Cannabis onsite consumption businesses located in areas zone other than B-1, B-2, or C-2 shall not allow consumption on premises of smokable cannabis after 1 a.m. and before 7 a.m.

4) Social equity for onsite co-locations. In order to encourage social equity, any licensed medical dispensary that wishes to open a cannabis cafe onsite or directly adjacent to their cannabis dispensary is encouraged to partner with an entity or individual that qualifies as a social equity entity as defined in - the Cannabis Regulation and Tax Act. This encouragement is as follows:

a. If the space for the onsite co-location is rented to a social equity entity, than that entity will receive a grant up to \$25,000 for initial funding and creation of the cafe; and

b. The cafe will be eligible for permitted zoning pursuant to 17-13-1003-LL

c. And, if the dispensary is a medical dispensary licensed pursuant to the Compassionate use of Medical Cannabis Act, then the dispensary is eligible for permitted zoning pursuant to 17-13-1003-LL

5) Application.

a. Procedure. Every applicant for an onsite consumption license shall file an application, under oath, with the Department. The Department shall advise the applicant in writing as to whether the application has been granted or denied. If the application is denied or held for further investigation, the Department shall advise the applicant in writing of the reason for such denial or hold. The failure or refusal of the applicant to promptly give any information relevant to the investigation of the application, or the submission of false, misleading or

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incomplete information on the application, or the refusal or failure of applicant to appear at any reasonable time and place for examination under oath regarding said application, or the refusal of applicant to submit to or cooperate with any inspection required under this code, shall be grounds for denial of the application.

b. Application contents. The application for a license to operate a massage

establishment shall set forth the type of license sought, the exact nature of the business and the proposed place and facilities thereof. An application for such a license shall be made in conformity with the general requirements of this code relating to license. The application shall be signed under oath by the owner of the business for which a license is sought. If the owner is a corporation, the application shall be signed by an authorized officer of the corporation. If the owner is a partnership, the application shall be signed by a partner.

c In addition thereto, any applicant for a license, and each partner or limited partner of an applicant, if a partnership applicant, and each officer and director of a corporate applicant and any stockholder of a corporate applicant holding more than five percent of the stock of the corporate applicant, shall furnish the following information:

- i. written proof that the applicant, and any other person involved, directly or indirectly, in the business, is at least 21 years of age;
- ii. the business, occupation, or employment of each applicant for the three years immediately preceding the date of application;
- iii. whether the applicant has had any license denied, revoked or suspended in the City of Chicago or any other state or city for a massage establishment, the reason therefor, and the business activity or occupation of the applicant subsequent to such suspension, revocation or denial;
- iv. if the applicant is a corporation, or a partner of any partnership is a corporation then the names of the corporation shall be set forth exactly as shown in the articles, together with the state of incorporation and proof of authority to do business in the State of Illinois;
- v. each applicant's current residential telephone number; and
- vi. the name and address of the owner of the premises. If the premises are leased: (a) a copy of the lease; (b) the name, address and telephone number of the owner of the premises, including the name and address of the beneficiary if title to the premises is held by a person as trustee and if known to the applicant; (c) the name, address and telephone number of the manager of the premises,

d. Issuance conditions and term. No license shall be issued under this article if the Department shall find:

- i. that the operation of the establishment as proposed by the applicant, if permitted, would not comply with the applicable laws of the State of Illinois and the City of Chicago, including but not limited to the building, health, housing, fire prevention and zoning codes of the City of Chicago; or
- ii. that the operation of the establishment as proposed by the applicant, if permitted, would violate the provisions, of this article.

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**4-60-030 License issuance prohibited when.**

'■ No license for the sale of alcoholic liquor shall be issued to:

(o) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of ~~cannabis~~, narcotics or other controlled substances, or who has forfeited bond to appear in court to answer charges for any such violation;

**4-60-040 License - Application and issuance procedures.**

- (b)
- (8) a statement as to whether the applicant has ever been convicted of a felony, gambling offense, violation of law concerning the manufacture, possession or sale of ~~cannabis~~, narcotics or other controlled substances, or violation of law concerning the manufacture, possession or sale of alcoholic liquor;

SECTION 3. Title 7 of the Municipal Code of Chicago is hereby amended as follows:

**~~7-24 099 Possession of cannabis.~~**

~~-(a)-It is a violation of this section for any person to possess up to 15 grams of any substance containing cannabis. As used in this section, "cannabis" includes marijuana, hashish and other substances which are identified as including any parts of the plant Cannabis Sativa, whether growing or not; the seeds thereof, 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.~~

~~(b) A person upon whom a notice of violation has been served for violating this section shall: (1) appear for a hearing at the location, date and time indicated on the notice of violation; or (2) adjudicate the matter by mail in the time and manner described in the Rules and Regulations of the Department of Administrative Hearings.~~

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~~-(c)-The director of administrative hearings is authorized to impose, in addition to the fine authorized for the violation of subsection (a), a requirement that a violator attend a drug awareness or drug education program.~~

~~d) Citations shall not be issued under this section for violations of subsection (a) occurring on the grounds of a school or public park.~~

~~e) Any person who violates this section shall be subject to a fine of not less than \$250.00 nor more than \$500.00 for the first offense, and \$500.00 for the second and each subsequent violation occurring within a period of 30 days. Each such violation shall constitute a separate and distinct offense. Pursuant to Section 1-1-120 of the Code, a requirement that the violator perform community service may be included as a component of any penalty imposed pursuant to this section.~~

~~f) This section shall not apply to possession of medical cannabis by a person<sup>†</sup> in compliance with the Medical Cannabis Pilot Program Act, 110 ILCS 130/1, et seq.~~

~~(Added Coun. J. 6-27-12, p. 30306, § 1; Amend Coun. J. 7-30-14, p. 86194, § 1)~~

#### **7-24-225 Unlawful drugs in motor vehicle - Impoundment.**

(a) The owner of record of any motor vehicle that contains any controlled substance of ~~cannabis~~, as defined in the Controlled Substances Act, 720 ILCS 570/100, et seq., ~~and the Cannabis Control Act, 720 ILCS 550/1, et seq.~~, or that is used in the purchase, attempt to purchase, sale or attempt to sell such controlled substances ~~or cannabis~~ shall be liable to the city for an administrative penalty of \$2,000 plus any applicable towing and storage fees. If the violation takes place within 500 feet of the boundary line of a public park or elementary or secondary school, the penalty shall be \$3,000 plus towing and storage fees. Any such vehicle shall be subject to seizure and impoundment pursuant to this section.

~~(d) This section shall not apply to the owner of a motor vehicle containing medical cannabis possessed in compliance with the Medical Cannabis Pilot Program Act", 410 ILCS 130/1, et seq.~~

SECTION 4. Title 8 of the Municipal Code of Chicago is hereby amended Bas follows:

#### **8-4-015 Gang loitering.**

(3) Criminal gang activity means the commission, attempted commission or solicitation of the following offenses, provided that the offenses are committed by two or more persons, or by an individual at the direction of, or in association with, any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members:

the following sections of the Criminal Code of 1961: 9-1 (murder), 9-3.3 (drug-induced homicide), 10-1 (kidnapping), 10-4 (forcible detention), subsection (a)(13) of Section 12-2 (aggravated assault - discharging firearm), 12-4 (aggravated battery), 12-4.1 (heinous battery),

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12-4.2 (aggravated battery with a firearm), 12-4.3 (aggravated battery of a child), 12-4.6 (aggravated battery of a senior citizen), 12-6 (intimidation), 12-6.1 (compelling organization membership of persons), 12-11 (home invasion), 12-14 (aggravated criminal sexual assault), 18-1 (robbery), 18-2 (armed robbery), 19-1 (burglary), 19-3 (residential burglary), 19-5 (criminal fortification of a residence or building), 20-1 (arson), 20-1.1 (aggravated arson), 20-2 (possession of explosives or explosive or incendiary devices), subsections (a)(6), (a)(7), (a)(9) or (a)(12) of Section 24-1 (unlawful use of weapons), 24-1.1 (unlawful use or possession of weapons

by felons or persons in the custody of the department of corrections facilities), 24-1.2 (aggravated discharge of a firearm), subsection (d) of Section 25-1 (mob action - violence), 33-1 (bribery), 33A-2 (armed violence); Sections 5, 5.1, 7 or 9 of the Cannabis Control Act where the offense is a felony (manufacture or delivery of cannabis, cannabis trafficking, calculated criminal cannabis conspiracy and related offenses), or Sections 401, 401.1, 405, 406.1, 407 or 407.1 of the Illinois Controlled Substances Act (illegal manufacture or delivery of a controlled substance, controlled substance trafficking, calculated criminal drug conspiracy and related offenses).

**8-4-087 Chronic illegal activity premises.**

(a) Definitions. As used in this section, unless the context indicates otherwise:

~~13. Any violation of the Cannabis Control Act, as amended, or any comparable federal, state or local law;~~

**8-4-090 Drug and gang houses, houses of prostitution and other disorderly houses.**

(d) The commissioner of buildings or other authorized representative of the city may bring an action to abate a public nuisance described by this section in a court of competent jurisdiction or in the buildings hearings division of the department of administrative hearings. The presiding authority shall issue an order of abatement upon a finding of liability under this section. The order of abatement shall require the defendant to take measures reasonably calculated to prevent the recurrence of the illegal activity. In ordering these measures, the presiding authority shall consider the magnitude of the harm caused by the nuisance, the value of the property, and the extent to which the defendant has failed to take effective measures to abate the nuisance. Those measures may include, but are not limited to, making improvements to real estate and installing lighting to enhance security, the hiring of licensed and insured security personnel, the hiring of a receiver, the initiation and execution of eviction proceedings against tenants engaged in illegal activity, or, at the request of the corporation counsel, the assignment or forfeiture to the city of all of the defendant's rights, title and interest in the real estate. Assignment or forfeiture of the defendant's rights, title and interest in the real estate shall be considered as an abatement measure only when the defendant has failed to abate a nuisance following an order issued pursuant to this paragraph, or has failed to abate a nuisance within 30 days of a notice issued pursuant to paragraph (e) of this section, and: (i) a forcible felony as defined in Section 2-8 of the Criminal Code (720 ILCS 5/2-8) is committed on the premises, or (ii) two or more violations of the Illinois Controlled Substances Act or the Cannabis Control Act occur on the property on separate days within a one year period. The order of abatement may also authorize the issuance of ex parte administrative search warrants reasonably calculated to determine whether the nuisance has

been abated or whether the order of the court or hearing officer has been obeyed. Any order of abatement issued by an administrative law officer under this ordinance is subject to enforcement pursuant to Section 2-14-100 of this Code. Actions brought pursuant to this section in the Circuit Court of Cook County may also be accompanied by the recording of a lis pendens notice against the property.

**8-8-30. Cannabis Public Education Fund**

The City of Chicago shall use ten percent of all licensing fees received from cannabis organization licensing to create the Cannabis Public Education Fund. The purpose of this fund is to educate middle school and high



school youth on the dangers of purchasing street marijuana, and to educate the public in general on the overall value of purchasing marijuana from licensed cannabis organizations. The intention is to create an educated public and sophisticated consumers. The fund and education programming will be the City's primary tool for enforcement against youth possession and use of marijuana.

### **8-30-010 Definitions.**

Whenever used in this chapter, the following words and phrases shall have the following meanings:

(a) "Controlled substances" means any substance as defined and included in the Schedules of Article II of the Illinois Controlled Substances Act, ~~and cannabis as defined in the Cannabis Control Act.~~

### **9-104-050 License - Qualifications.**

An applicant is qualified to receive a public chauffeur license if the applicant:

15. has not, within the 5-year period preceding the date of application, been convicted by a court of any jurisdiction, under parole, under any supervision or any similar deferral program, or subject to conditional discharge for any of the following offenses: (i) any felony as defined by Article 2 of the Illinois Criminal Code of 2012, codified at 720 ILCS 5/2-0.5, et seq.; (ii) the illegal sale or possession of any controlled substance ~~or cannabis~~; (iii) operating a motor vehicle under the influence of a controlled substance, cannabis or alcohol; (iv) indecent solicitation of a child or any criminal sexual abuse or similar crime; or (v) any crime involving moral turpitude.

### **9-104-140 License - Suspension, revocation and penalties.**

(e) The commissioner, upon receiving a complaint, is authorized to require any licensee to: (i) be evaluated by an Illinois-licensed physician that the licensee has the capability to safely operate a public passenger vehicle; and (ii) take a test, conducted by authorities approved by the commissioner, for the presence of ~~cannabis or other~~ ~~or~~ illegal drug or inebriating substance in the body. If the physician does not certify that the licensee has the capability to safely operate a

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public passenger vehicle, or if the licensee fails the drug or substance test, the commissioner shall immediately suspend the licensee's public chauffeur license.

### **9-110-130 Pedicab chauffeur license - Application.**

(d) The commissioner, upon receiving a complaint, is authorized to require any pedicab chauffeur licensee to: (i) be evaluated by an Illinois-licensed physician that the licensee has the capability to safely operate a pedicab; and (ii) take a test, conducted by authorities approved by the commissioner,

for the presence of ~~cannabis or other~~ illegal drug or inebriating substance in the body. If the physician does not certify that the licensee has the capability to safely operate a pedicab, or if the licensee fails the drug or substance test, the commissioner shall immediately suspend the licensee's pedicab chauffeur license.

**9-114-315 Allowing unlawful acts.**

(b) No owner, or driver of a charter/sightseeing vehicle, or security guard, shall allow any passenger:

9. to unlawfully possess or use ~~cannabis or any~~ controlled substance.

USE GROUP	Zoning Districts						Use Standard	Parking Standard
	B1	B2	B3	C1	C2	C3		
Use Category								
AAA. Medical or Recreation Cannabis								
1. Cultivation Center	-	-	-	-	S	S	§ 17-9-0129.8	17-10-020
2. Dispensing Organization	S	S	S	S	S	S	§ 17-9-0129§	17-10-020
3. Craft Grow	S	S	S	S	S	S	§ 17-9-0129§	17-10-020
4. Infuser	S	S	S	S	S	S	§ 17-9-0129	None require
5. Transporter	S	S	S	P	P	P	§ 17-9-0129	None require
6. Consumption on Premises Medical only	S	S	S	S	S	S	§ 17-9-01298	17-10-020
7. Consumption on Premises Nonmedical, only topical	S	S	S	S	S	S	§ 17-9-0129§	17-10-020
8. Consumption on premises only Edible	S	S	S	S	S	S	§ 17-9-0129§	17-10-020
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9. Consumption on premises smokable	S	S	S	S	S	S	§ 17-9-0129A	§ 17-10-0207-M
10. Co-located dispensary consumption on premises	S	S	p	P	P	P	§ 17-9-0129A	§ 17-10-0207-M

**17-3-0207 Business and Commercial Districts**

17-4-0207 Use Table and Standards-downtown districts

USEGROUP	Zoning Districts				Use Standard	Parking Standard
	DC	DX	DR	DS		
Use Category						
<b>AAA. Medical or Recreation</b>						
Cannabis						
1. Cultivation Center	-	-	-	-	§ 17-9-0129	§ 17-10-0207
2. Dispensing Organization	S	S	-	S	§ 17-9-0129	§ 17-10-0207
3. Craft Grow	-	S	-	-	§ 17-9-0129	§ 17-10-0207
4. Infuser	-	S	-	-	§ 17-9-0129	None required
5. Transporter	-	S	-	S	§ 17-9-0129	None required
6. Consumption on Premises Medical only	S	S	-	S	§ 17-9-0129	§ 17-10-0207
7. Consumption on Premises Non-medical, only topical	S	S	-	S	§ 17-9-0129	§ 17-10-0207
8. Consumption on premises only Edible	S	<b>S</b>	-	S	§ 17-9-0129	§ 17-10-0207
9. Consumption on premises smokable	-	S	-	S	§ 17-9-0129	§ 17-10-0207
11. Co-located dispensary consumption on premises	P	<b>p</b>	-	<b>p</b>	§ 17-9-0129	§ 17-10-0207

17-5-0207 Use Table and Standards. Manufacturing districts

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USEGROUP	Zoning Districts			Use Standard	Parking Standard
	MI	M2	M3		
Use Category					
<b>AAA. Medical or Recreation</b>					
Cannabis					
1. Cultivation Center ■	S	<b>S</b>	S	§ 17-9-0129	§ 17-10-0207-M
2. Dispensing Organization	S	<b>S</b>	S	§ 17-9-0129	§ 17-10-0207-M

3. Craft Grow	S	<b>S</b>	S	§ 17-9-0129	§ 17-10-0207-M
4. Infuser	S	<b>S</b>	S	§ 17-9-0129	None required
5. Transporter	P	<b>p</b>	<b>p</b>	§ 17-9-0129	None required
6. Consumption on Premises Medical only	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129A	§ 17-10-0207-M
7. Consumption on Premises Non-medical, only topical	S	<b>S</b>	S	§ 17-9-0129A	■ § 17-10-0207-M
8. Consumption on premises only Edible	S	<b>S</b>	<b>S</b>	■ § 17-9-0129 A	§ 17-10-0207-M
9. Consumption on premises smokable	S	<b>S</b>	S	§ 17-9-0129 A	§ 17-10-0207-M
10. Co-located dispensary consumption on premises	P		<b>p</b>	§ 17-9-0129A	§ 17-10-0207-M

17-6-0403-F Use Table and Standards. Planned Manufacturing Districts

USEGROUP	PMD number															Use Standard				
Use Category	1	2	3	4	4E	5	6	7A	7B	8A	8B	9	10	11	12	13	14	15		
AAA. Medical or Recreation Cannabis																				
1. Cultivation Center	S	S	S	<b>S</b>	S	S	<b>S</b>	S	<b>S</b>	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	S	§ 17-9-0129
2. Dispensing Organization	S	S	<b>S</b>	S	S	S	<b>S</b>	<b>S</b>	<b>S</b>	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129
3. Craft Grow	S	S	<b>S</b>	S	S	S	<b>S</b>	<b>S</b>	<b>S</b>	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129
4. Infuser	S	S	<b>S</b>	S	S	S	<b>S</b>	<b>S</b>	<b>S</b>	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129
5. Transporter	P	P	P	P	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	<b>p</b>	§ 17-9-0129
6. Consumption on Premises Medical only	S	S	<b>S</b>	S	S	S	<b>S</b>	<b>S</b>	<b>S</b>	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129A
7. Consumption on Premises Non-medical, only topical	S	S	<b>S</b>	S	S	S	<b>S</b>	<b>S</b>	<b>S</b>	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129A

Non-medical, only topical  
 8. Consumption on premises only Edible  
 9. Consumption on premises smokable

8. Consumption on premises only Edible	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129A
9. Consumption on premises smokable	S	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	§ 17-9-0129A

10. Co-located dispensary consumption on premises § 17-9-0129 A

~~17-9-0129 Medical and Recreation cannabis dispensing organizations, craft grows, infusers, transporters, and cultivation centers. Medical cannabis dispensing organizations and cultivation centers shall comply with the following standards~~

~~1. 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 retain the services of an Illinois licensed private security agency or an Illinois licensed private security contractor and an Illinois licensed private security contractor shall be present at medical cannabis dispensing organizations and cultivation centers at all times that they are open to the public, qualifying patients, or designated caregivers.~~

~~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.~~

~~1. 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.~~

(a) All medical cannabis dispensing organizations licensed under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1) or licensed under the Reauthorizing and Improving the Medical Cannabis Program that received a special use prior to December 31, 2019, may apply to the Zoning Administrator through a process to be created by the Administrator for and amendment of that medical cannabis use to include the sale of recreational cannabis pursuant to the procedures and authority outlined in 17-13-1003-LL as amended.

(b) It is a condition of the special use permit for All medical and recreation cannabis organizations that do not currently hold a special use, to be held by entities that are majority owned by natural persons who have been residents of the State of Illinois for at

least one year prior to applying for the special use. Any medical and recreation cannabis organization that currently has a special use that does not meet this requirement may apply for a special use for the sole purpose of moving their current location or for adding a co-located onsite consumption use to their

site, if necessary under this code.

(c) It is a condition of any cannabis organization receiving a special use permit when located in a district zoned B1 or B2 that the property line of the premises for which the use is sought not be within 500 feet of the property line of any building or other location used primarily as a school child care facility, or for the education or recreation of minors or young adults under the age of 21.

(d) It is a condition of any cannabis organization receiving a special use permit when located in a district zoned B3, C1, C2, Ds or Dx, that the property line of the premises for which the use is sought not be within 250 feet of the property line of any building or other location used primarily as a school, child care facility, or for the education or recreation of minors or young adults under the age of 21.

(e) It is a condition of any cannabis organization receiving a special use permit when located in a district zoned C3, M or DC, that the property line of the premises for which the use is sought not be within 100 feet of the property line of any building or other location used primarily as a school, child care facility, or for the education or recreation of minors or young adults under the age of 21.

If) It is a condition of any cannabis organization receiving a special use permit when located in a district zoned DC, DS or DX, that must be held by entities that are majority owned by natural persons who have lived for five out of the last ten years in a "disproportionately impacted area" as defined in the Cannabis Regulation and Tax Act.

17-13-1003-LL Recreation Marijuana Sales for Existing Medical Dispensaries.

1. The Zoning Administrator is authorized to approve an administrative adjustment to anyone of the 13 medical dispensaries located in the City of Chicago and licensed pursuant to either the Medical Cannabis Pilot Program Act or the Reauthorizing and Improving the Medical Cannabis Program act for the purpose of allowing the sale of recreational cannabis out of the same location and with the same restrictions as applied to their original special use permit, and pursuant to the requirements of this section.
2. Such administrative adjustments may be approved only when: 1) a special use had previously been granting for the exact same address for medical cannabis; 2) the State of Illinois has already approved the licensee for Early Approval Adult Use License-Same Site; 3) The business and its owners owe no debts or obligations to the City of Chicago; and 4) the Licensee has agreed to a participate in the City's equitable co-location on-site consumption as defined below if the licensee chooses to seek an onsite consumption license.
3. A pre-requisite of an existing medical dispensary obtaining an administrative adjustment for the sale of recreation cannabis at their current medical cannabis site

**is that, if they seek a consumption on premises license, then they must apply for the social equity co-location consumption license as defined MCC 4-6-320**

**17-17-0296.5 Medical Cannabis Cultivation Center.** A facility operated by a person who is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis organizations with usable medical cannabis.

**17-17-0296.7 Medical Cannabis Dispensing Organization.** A facility operated by a person who is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis; from a medical cannabis cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational material to registered qualifying patients. For purposes of this definition, "Qualifying patient" has the meaning ascribed to that term in the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/10.

Gilbert Villegas ■: Alderman 36<sup>th</sup> Ward

**17-17-0296.9 Cannabis Organization.** General term for any dispensing, cultivator, grower, transporter, or infuser of cannabis licensed by the state of Illinois pursuant to either the Medical Cannabis Pilot Program Act or the Cannabis Regulation and Tax. Act.