



Office of the City Clerk

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Legislation Text

File #: O2020-2777, Version: 1

Committee on License and Consumer Protection

May 20, 2020

An ORDINANCE Extending the Petition Collection Period to Establish Restricted Cannabis Precincts in Chicago

WHEREAS, Illinois legalized Adult Use Cannabis for recreational purposes on January 1, 2020. Included in the enacting legislation is a process to establish Restricted Cannabis Zones through a resident-led petition process in municipalities with a population of over 500,000, as defined by in Illinois Compiled Statute, 410 ILCS 705/55-28; and

WHEREAS, The City Clerk of Chicago is authorized to create a process for residents seeking to establish Restricted Cannabis Zone in Chicago by filing a Notice of Intent to prohibit such activity within a Precinct within a Ward. The process provides the petitioner ninety (90) days to collect valid signatures from at least 25% of the registered voters within the precinct in support of the Restricted Cannabis Zone; and

WHEREAS, Effective March 21, 2020 at 5:00 PM, Governor J.B. Pritzker issued Executive Order 2020-10, establishing a Stay at Home order. At the time of the issuance of the Executive Order, the Chicago City Clerk was in receipt of seven Notices of Intent applications seeking to establish Restricted Cannabis Zones in the City of Chicago, including three (3) filed in March 2020; and

WHEREAS, Petitioners are unable to physically collect signatures from registered voters of the precinct without violating the Governor's Stay at Home Order, beginning March 21, 2020 at 5:00 PM, during the ninety (90) day petitioning period, nor could they comply with social distancing requirements during petition collections; and

WHEREAS, Through no fault of their own, petitioners will not be fairly granted the full ninety (90) day window to attempt to safely collect the minimum number of signatures from registered voters of the Precinct in the Ward to establish a Restricted Cannabis Zones; NOW THEREFORE

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

SECTION 1. The foregoing recitals are hereby incorporated into this ordinance.

SECTION 2. The running of the 90-day period set forth in 410 ILCS 705/55-28 shall be tolled for the duration of Executive Order 2020-10, as now or hereinafter amended, OR until Region 11 [City of Chicago] reaches Phase Four (4) of Governor Pritzker's 'Restore Illinois' recovery roadmap, and for the duration of any similar Mayoral Order that may be enacted upon expiration of Executive Order 2020-10 Or applicable Federal Order.

SECTION 3. The City Clerk shall: (1) notify in writing, which may be by e-mail or other form of electronic transmission, each petitioner for which a Notice of Intent to establish a Restricted Cannabis Zone posted by the City Clerk as of 5:00 p.m. on March 21, 2020, or is subsequently posted, of the fact that the 90-day signature collection period has been tolled; and (2) upon expiration of Executive Order 2020-10, moving Chicago into Phase Four (4) of 'Restore Illinois' and any similar Mayoral Order that may be enacted when Executive Order 2020-10 expires or

applicable Federal Order, notify each such petitioner of the date and time by which the requisite number of signatures must be obtained in order for the applicable petition to be legally sufficient within the meaning of 410 ILCS 705/55-28.

BRIAN HOPKINS Alderman, 2nd Ward

SECTION 4. This ordinance shall take full force and effect upon its passage and publication and shall be retroactive until 5:00 p.m. on March 21, 2020.