



Office of the City Clerk

City Hall
121 N. LaSalle St.
Room 107
Chicago, IL 60602
www.chicityclerk.com

Legislation Text

File #: O2020-2816, Version: 1

ORDINANCE

WHEREAS, The Illinois Cannabis Regulation and Tax Act (410 ILCS 705/ et seq.) authorizes the legal voters of any precinct in a municipality with a population of over 500,000 to petition their local alderman to introduce an ordinance establishing the precinct as a "Restricted Cannabis Zone" in which all cannabis business establishments are prohibited; and

WHEREAS, Section 55-28(c) of the Illinois Cannabis Regulation and Tax Act: requires that persons seeking to initiate the petition process submit to the City Clerk a notice of intent that includes a description of the potentially affected area and the scope of the restriction sought; provides that in order to be legally sufficient all signatures on the petition must be obtained within 90 days of the date on which the City Clerk posts the notice of intent online; and states that if the City Clerk rejects a petition as legally insufficient, a minimum of 12 months must elapse before a new notice of intent may be submitted for the same precinct; and

WHEREAS, On March 20, 2020, in response to the rapid spread of the Novel Coronavirus (COVID-19) throughout the State, Illinois Governor JB Pritzker issued Executive Order 2020-10 ("Stay-at-Home Order"), which went into effect on March 21, 2020 at 5:00 p.m., ordering Illinois residents to stay at home except for essential activities; and

WHEREAS, At the time the Stay-at-Home Order was issued, several notices of intent to initiate the petition process to establish a Restricted Cannabis Zone had been posted by the City Clerk, meaning that petitions to establish Restricted Cannabis Zones were being circulated for signatures in various precincts across the City; once the Stay-at-Home Order went into effect, these petitioners became legally prohibited from circulating their petitions and were effectively precluded from obtaining the required number of signatures within the statutory 90-day circulation period; and

WHEREAS, In order to effectuate the legislative intent of Section 55-28 of the Illinois Cannabis Regulation and Tax Act and to preserve the integrity of the democratic process in precincts where a notice of intent to initiate the petition process to establish a Restricted Cannabis Zone was posted by the City Clerk as of 5:00 p.m. on March 21, 2020, or is subsequently posted, it is imperative that the 90-day circulation period be tolled for the duration of Executive Order 2020-10 and for the duration of any similar Mayoral Order that may be enacted upon the expiration of Executive Order 2020-10, or any applicable Federal Order; 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 as if fully set forth herein and are hereby declared to be the findings of the City Council of the City of Chicago.

SECTION 2. The City Clerk shall toll the running of the 90-day circulation period set forth in 410 ILCS 705/55-28(c) for the duration of Executive Order 2020-10, as now or hereinafter amended, and for the duration of any similar Mayoral Order that may be enacted upon the expiration of Executive Order 2020-10, or any 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 initiate the petition process to establish a Restricted Cannabis Zone was 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 circulation period has been tolled; and (2) upon the expiration of Executive Order 2020-10 and any similar Mayoral Order that may be enacted when Executive Order 2020-10 expires, or any 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(c).

MICHELE SMITH Alderman, 43rd Ward

SECTION 4. This ordinance shall take full force and effect upon passage and shall be retroactive to 5:00 pm on March 21, 2020.

The following legislation is being introduced by Alderman Michele Smith regarding cannabis and tolling petitions co-sponsored by

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Alderman Ward 21

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Alderman Ward 11 1 | Page

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Alderman Ward 33
Alderman Michele Smith regarding cannabis and tolling

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Alderman Ward 42

Michele Smith

Alderman Ward 43

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Alderman Ward 44

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Alderman Ward 50
rman Michele Smith regarding cannabis and tolling

Click or tap here to enter text. Mayor Lightfoot Click or tap here to enter text. Clerk Valencia