

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 21-4

**AN ORDINANCE AMENDING TITLE XIII OF THE VILLAGE CODE
REGARDING CANNABIS & DRUG PARAPHERNALIA VIOLATIONS**

DAVE KIMSEY, Village President
AMY DAHLKAMP, Village Clerk

KRISTEN CHIARO
ANDREW DETMERS
BRETT GERGER
RYAN MANN
MATT MAU
PAUL SCHERSCHEL
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on February 9, 2021

Sorling Northrup – 1 North Old State Capitol Plaza, Suite 200, Springfield, IL 62705

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**AN ORDINANCE AMENDING TITLE XIII OF THE VILLAGE CODE
REGARDING CANNABIS & DRUG PARAPHERNALIA VIOLATIONS**

WHEREAS, the Village of Chatham (hereinafter, the “Village”), an Illinois municipal corporation; and

WHEREAS, on January 1, 2020, the Cannabis Regulation & Tax Act (hereinafter “Act”) went into effect, legalizing the consumption and possession of limited amounts of cannabis for adults 21 and older in Illinois; and

WHEREAS, under the Act, Illinois residents may possess up to: (1) 30 grams, or just over one ounce of “flower”; (2) 5 grams of cannabis concentrate and (3) 500 milligrams of THC (the chemical that makes users high) in a cannabis-infused product such as candy, other consumable products (referred to as “edibles”), or tinctures, and lotions; and

WHEREAS, the Village desires to amend its regulations on the possession and use of cannabis, as well as on the possession and use of drug paraphernalia, to reflect the changes in the Act and as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment to Village Code. Sections 130.15 and 130.16A of the Village Code shall be amended as follows (added; ~~deleted~~):

SECTION 130.15 CANNABIS & DRUG PARAPHERNALIA DEFINITIONS

...

CANNABIS CONTAINER: means the original sealed, traceable, container or package used by a duly licensed or permitted cannabis dispensary for the purpose of containment of cannabis or cannabis-infused product during transportation.

...

SECTION 130.16 POSSESSION OF CANNABIS

A. Possession, Exceeding State Limits. It shall be unlawful for and no person shall possess more than thirty grams (30g) of raw cannabis, cannabis-infused products containing more than five hundred milligrams (500 mg) of THC, or five grams (5g) of cannabis product in concentrated form. It shall further be unlawful for and no person shall possess cannabis at the following locations: (1) in a school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act; (2) on the grounds of any preschool or primary or secondary school, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act; (3) in any correctional facility; (4) ~~in a vehicle not open to the public unless the cannabis is in a reasonably secured, sealed container and reasonably inaccessible while the vehicle is moving~~ within any area of any motor vehicle upon a highway in this State except in a sealed, odor-proof, child-resistant cannabis container; or (5) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises.

Section 3. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Section 4. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 5. Effectiveness. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

SO ORDAINED this 9th day of Febo, 2021, at Chatham, Sangamon County, Illinois.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO	✓			
ANDREW DETMERS	✓			
BRETT GERGER	✓			
RYAN MANN				<i>absent</i>
MATT MAU	✓			
PAUL SCHERSCHEL				<i>absent</i>
DAVE KIMSEY				
TOTAL	4	0	0	2

APPROVED by the President of the Village of Chatham, Illinois this 9th day of February, 2021.


 Dave Kimsey, Village President

Attest:

 Amy Dahlkamp, Village Clerk