

**VILLAGE OF FOREST VIEW**

**COOK COUNTY, ILLINOIS**

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**ORDINANCE NO. 19-17**

**AN ORDINANCE AMENDING TITLE 3, “BUSINESS REGULATIONS”, OF  
VILLAGE OF FOREST VIEW VILLAGE CODE, BY ADDING NEW CHAPTER  
25, “PROHIBITION OF RECREATIONAL CANNABIS BUSINESS  
ESTABLISHMENTS WITHIN THE VILLAGE OF FOREST VIEW”, THERETO**

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**PASSED AND APPROVED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF FOREST VIEW,  
COOK COUNTY, ILLINOIS  
this 8th day of October, 2019.**

**Published in pamphlet form  
by authority of the President and  
Board of Trustees of the Village  
of Forest View, Cook County, Illinois  
this 8th day of October, 2019.**

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**WHEREAS**, the Village of Forest View is a home-rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, as a home-rule unit of local government, the Village may exercise any power and perform any function pertaining to its government except as limited in Article VII, Section 6; and

**WHEREAS**, the Illinois General Assembly enacted Public Act 101-0027, “Cannabis Regulation and Tax Act” (“Act”), which legalizes the use of recreational cannabis by persons over 21 years of age; and

**WHEREAS**, Section 55-25(5) of the Act provides that a municipality has the authority to significantly limit an adult-use cannabis business establishment’s location or totally prohibit adult-use cannabis business establishments in the municipality; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations to protect the public health, safety and welfare of its citizens; and

**WHEREAS**, the President and Board of Trustees have determined that the operation of adult-use cannabis business establishments would adversely impact the

health, safety and welfare of its residents and would adversely impact the costs and burdens upon law enforcement and the regulatory operations of the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS IN THE EXERCISE OF THE VILLAGE’S HOME RULE POWERS as follows:**

**SECTION 1:** Title 3, “Business Regulations”, of the Forest View Village Code, as amended, is hereby further amended by adding new Chapter 25, “Prohibition of Recreational Cannabis Business Establishments within the Village of Forest View”, thereto, to read as follows:

**CHAPTER 25**

**PROHIBITION OF RECREATIONAL CANNABIS BUSINESS ESTABLISHMENTS WITHIN THE VILLAGE OF FOREST VIEW**

**SECTION:**

- 3-25-1: Definitions**
- 3-25-2: Recreational Cannabis Business Establishments Prohibited**
- 3-25-3: Public Nuisance Declared**
- 3-25-4: Violations**

**3-25-1: DEFINITIONS:** As used in this Chapter, the following terms, phrases and words and their derivations, shall have the meanings given in this Section, unless otherwise specifically provided in this Chapter:

**ADULT-USE CANNABIS BUSINESS ESTABLISHMENT:** A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

**ADULT-USE CANNABIS CRAFT GROWER:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, as provided in the

Cannabis Regulation and Tax Act (P.A. 101-0027), and as amended from time to time, and the rules and regulations promulgated thereunder.

ADULT-USE CANNABIS  
CULTIVATION CENTER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishment, as provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), and as amended from time to time, and the rules and regulations promulgated thereunder.

ADULT-USE CANNABIS  
DISPENSING ORGANIZATION:

A facility operated by and organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, as provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), and as amended from time to time, and the rules and regulations promulgated thereunder.

ADULT-USE CANNABIS  
INFUSER ORGANIZATION OR  
INFUSER:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, as provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), and as amended from time to time, and the rules and regulations promulgated thereunder.

ADULT-USE CANNABIS  
PROCESSING ORGANIZATION OR  
PROCESSOR:

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or

cannabis concentrate into a product formulation to produce a cannabis product, as provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), and as amended from time to time, and the rules and regulations promulgated thereunder.

ADULT-USE CANNABIS  
TRANSPORTING ORGANIZATION  
OR TRANSPORTER:

An organization or business that is licensed by the Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, as provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), and as amended from time to time, and the rules and regulations promulgated thereunder.

PERSON:

Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

3-25-2: **RECREATIONAL CANNABIS BUSINESS ESTABLISHMENTS PROHIBITED.** The following Adult-Use Recreational Cannabis Business Establishments are prohibited in the Village of Forest View. No person shall locate, operate, own, suffer, allow to be operated or aid, abet or assist in the operation within the Village of Forest View of any of the following businesses:

- (A) Adult-Use Cannabis Craft Grower
- (B) Adult-Use Cannabis Cultivation Center
- (C) Adult-Use Cannabis Dispensing Organization
- (D) Adult-Use Cannabis Infuser Organization or Infuser
- (E) Adult-Use Cannabis Processing Organization or Processor
- (F) Adult-Use Cannabis Transporting Organization or Transporter

3-25-3: **PUBLIC NUISANCE DECLARED.** Operation of any prohibited Recreational Cannabis Business Establishment within the Village in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

3-25-4: **VIOLATIONS:** Violations of this Chapter may be enforced in accordance with the provisions of Title 1, Chapter 4, of the Village Code.

**SECTION 2: Severability.** If any provisions of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

**SECTION 3: Effective Date.** This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 8th day of October, 2019.

AYES: Trustees Grossi, Stimach, Hubacek, Sudkamp

NAYS: Trustees Kirchgatterer, Miller

ABSENT: None

APPROVED this 8th day of October, 2019.

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Lawrence Powell  
Village President

ATTEST:

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Joy M. Conklin  
Village Clerk