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**THE VILLAGE OF ROBBINS**  
**COOK COUNTY, ILLINOIS**

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**ORDINANCE**

No. 8-23-22 C

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**AN ORDINANCE AMENDING THE CODE OF THE VILLAGE OF ROBBINS  
TO ESTABLISH REGULATIONS REGARDING CANNABIS ESTABLISHMENTS**

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DARREN E. BRYANT, MAYOR  
SHARON S. DYSON, VILLAGE CLERK

GEORGE BREWTON  
DAVID R. DYSON  
TIFFANY S. ROBINSON  
GREGORY JACKSON  
MICHAEL COLLIER SR  
ERNEST MAXEY JR  
*Board of Trustees*

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*PASSED AND APPROVED BY THE MAYOR AND BOARD OF TRUSTEES*

*THIS 23rd DAY OF August, 2022*

**AN ORDINANCE AMENDING THE CODE OF THE VILLAGE OF ROBBINS  
TO ESTABLISH REGULATIONS REGARDING CANNABIS ESTABLISHMENTS**

WHEREAS, the Village of Robbins (the "Village") is a home rule unit of government pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village Mayor and Village Board of Trustees (the "Mayor" and the "Board", collectively, the "Corporate Authorities") seek to codify certain provisions regarding cannabis establishments; and

WHEREAS, the Illinois General Assembly adopted the Cannabis Regulation and Tax Act (the "Act"), which legalized the possession, sale and distribution of cannabis beginning January 1, 2020, in accordance with the Act (410 ILCS 705/1-1 *et seq.*); and

WHEREAS, paragraph 2 of Section 55-25 of the Act authorizes units of local government to enact ordinances or resolutions not in conflict with the Act or with rules adopted pursuant to the Act governing the time, place, manner, and number of permissible cannabis establishments (410 ILCS 705/55-25(2)); and

WHEREAS, paragraph 1 of Section 55-25 of the Act authorizes units of local government to enact reasonable zoning ordinances or resolutions not in conflict with the Act or rules adopted pursuant to the Act regulating cannabis business establishments (410 ILCS 705/55-25(1)); and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the public health, safety, and welfare of the residents of the Village and the efficient operation of government to amend the Village Code of Ordinances; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Robbins, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1: That the above recitals are incorporated herein and made a part hereof, as set forth in their entirety.

Section 2: Chapter 12, Licenses, Permits, and Miscellaneous Business Regulations of the Code of Ordinances of the Village of Robbins, Illinois is hereby amended by inserting the following:

Article IX Cannabis Establishments

Division 1. Generally

Sec. 12-321. Definitions.

The words, terms and phrases defined in the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 *et seq.* and in the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 *et seq.*) (collectively, the "Acts"), when used in this article, shall have the meanings ascribed to them in such Act, unless the context otherwise requires.

Sec. 12-322. Compliance with state regulations required.

Each establishment licensed under this article shall comply with the minimum requirements established in the Acts (410 ILCS 705/1-1 *et seq.*) (410 ILCS 130/1 *et seq.*).

Sec. 12-323. Compliance with zoning regulations required.

Each establishment shall comply with all zoning regulations established in the Acts (410 ILCS 705/1-1 et seq.) (410 ILCS 130/1 et seq.), and the Village Code. Village zoning regulations include, but are not limited to, the requirement that each establishment apply for and obtain a special use permit from the Building and Zoning Department and pay a \$500 application fee to the Village to apply for such permit.

Sec. 12-324. Host community agreement required.

Each establishment shall enter into a host community agreement with the Village. No establishment, other than a dispensing organization, shall conduct sales or other regular business operations without being party to a host community agreement with the Village. Conditions of each host community agreement shall include, but not be limited to, stipulations of responsibilities between the Village and the cannabis establishment. A host community agreement between a cannabis establishment and the Village may include a community impact fee for the Village and all other fees allowed by state statute, in accordance with the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.); provided, however, that the community impact fee shall be reasonably related to the costs imposed upon the Village by the operation of the cannabis establishment and shall not amount to more than three percent (3%) of the gross sales of the cannabis establishment, exclusive of any state or local tax on the gross sales. Any cost to the Village imposed by the operation of a cannabis establishment shall be documented and considered a public record. Each host community agreement shall address any known and additional cannabis related impact on the Village departments and services including, but not limited to, public safety, health services, schools and infrastructure, and any other stipulations deemed necessary by the Corporate Authorities.

Sec. 12-325. Penalty.

Any establishment violating any of the provisions of this article shall be punished as provided in section 1-14 of this Code.

Division 2. Establishment Regulations

Sec. 12-331. Security.

All establishments licensed under this Article shall, at a minimum, implement the following security measures:

- (a) Maintain a locked door or barrier between the establishment's entrance and the limited access area; and
- (b) Prevent individuals from remaining on the premises if they are not engaging in activity permitted by the Acts (410 ILCS 705/1-1 et seq.) (410 ILCS 130/1 et seq.) or other state rules; and
- (c) Develop a policy that addresses the maximum capacity and purchaser flow in the waiting rooms and limited access areas; and
- (d) Dispose of cannabis in accordance with the Acts (410 ILCS 705/1-1 et seq.) (410 ILCS 130/1 et seq.) and other state rules; and
- (e) During hours of operation, store and dispense all cannabis from the restricted access area. During operational hours, cannabis shall be stored in an enclosed locked room or cabinet and accessible only to specifically authorized dispensing organization agents; and

- (f) When the establishment is closed, store all cannabis and currency in a reinforced vault room in the restricted access area and in a manner as to prevent diversion, theft, or loss; and
- (g) Keep the reinforced vault room and any other equipment or cannabis storage areas securely locked and protected from unauthorized entry; and
- (h) Keep an electronic daily log of dispensing organization agents with access to the reinforced vault room and knowledge of the access code or combination; and
- (i) Keep all locks and security equipment in good working order; and
- (j) Maintain an operational security and alarm system at all times; and
- (k) Prohibit keys, if applicable, from being left in the locks, or stored or placed in a location accessible to persons other than specifically authorized personnel; and
- (l) Prohibit accessibility of security measures, including combination numbers, passwords, or electronic or biometric security systems to persons other than specifically authorized dispensing organization agents; and
- (m) Ensure that the interior and exterior of the premises are sufficiently lit to facilitate surveillance; and
- (n) Ensure that trees, bushes, and other foliage outside of the premises do not allow for a person or persons to conceal themselves from sight; and
- (o) Develop emergency policies and procedures for securing all product and currency following any instance of diversion, theft, or loss of cannabis, and conduct an assessment to determine whether additional safeguards are necessary; and
- (p) Develop sufficient additional safeguards in response to any special security concerns, or as required by the Village Police and Building Departments; and

Each dispensing organization shall be subject to random inspections by state and local law enforcement.

Sec. 12-332. Zoning.

No establishment licensed under this Article shall be located:

- (a) Within one thousand (1,000) feet of the property boundary of any school, playground, recreation center or facility, childcare center, public park, public library, or a game arcade center in which admission is not restricted to persons twenty-one (21) years of age or older.
- (b) Within one thousand five hundred (1,500) feet of the property boundary of any other All organizations that sell cannabis in any form (including, but not limited to dispensaries, infusers and craft grow operations).

Sec. 12-333. Drive-through.

It shall be unlawful for any establishment licensed under this Article to operate a drive-through window.

Sec. 12-334. Delivery.

It shall be unlawful for an establishment licensed under this Article or its agents to deliver or transport cannabis directly to purchasers.

Sec. 12-335. Hours of operation.

All establishments licensed under this Article shall only operate between eight (8) o'clock a.m. and eight (8) o'clock p.m.

### Division 3. Cultivation Centers

#### Sec. 12-341. Security.

Each cultivation center shall implement a security plan reviewed by the Illinois State Police, the Village Police Department and Village Building Department which shall include, but not be limited to, security measures such as interior and exterior lighting, surveillance cameras, and fencing.

#### Sec. 12-342. Transportation.

A cultivation center shall not transport cannabis or cannabis-infused products to a dispensing organization, craft grower, infuser organization, or laboratory unless it has obtained a transporting organization license.

#### Sec. 12-343. Distribution.

A cultivation center shall not sell or distribute any cannabis or cannabis-infused products to any person or entity other than a dispensing organization, craft grower, infuser organization or transporting organization.

### Division 4. Craft Growers

#### Sec. 12-351. Security.

Each craft grower shall implement a security plan reviewed by the Illinois State Police, Village Police Department and Village Building Department which shall include, but not be limited to, security measures such as interior and exterior lighting, surveillance cameras, and fencing.

#### Sec. 12-352. Transportation.

A craft grower shall not transport cannabis or cannabis-infused products to a craft grower, dispensing organization, infuser organization, or laboratory unless the craft grower is located within two thousand (2,000) feet of such aforementioned establishment or the craft grower has obtained a transporting organization license.

#### Sec. 12-353. Distribution.

A craft grower shall not sell or distribute any cannabis or cannabis-infused products to any person or entity other than a dispensing organization, craft grower, infuser organization or transporting organization.

### Division 5. Infuser Organizations

#### Sec. 12-361. Security.

Each infuser organization shall implement a security plan reviewed by the Illinois State Police, Village Police Department and Village Building Department which shall include, but not be limited to security measures such as interior and exterior lighting, surveillance cameras, and fencing.

Each infuser organization shall be subject to random inspections by state and local law enforcement.

Sec. 12-362. Transportation.

An infuser organization shall not transport cannabis or cannabis-infused products to a cultivation center, craft grower, or dispensing organization unless the infuser organization is located within two thousand (2,000) feet of such aforementioned establishment or the infuser organization has obtained a transporting organization license.

Sec. 12-363. Distribution.

An infuser organization shall not sell or distribute any cannabis or cannabis-infused products to any person or entity other than a cultivation center, craft grower, or dispensing organization or transporting organization.

Division 6. Transporting Organizations

Sec. 12-371. Security.

Cannabis shall be transported so it is not visible or recognizable from outside the vehicle. A vehicle transporting cannabis must not bear any markings to indicate the vehicle contains cannabis or bear the name or logo of the cannabis establishment.

No person under the age of twenty-one (21), nor any person, other than a transporting organization agent shall be in a vehicle transporting cannabis product.

Sec. 12-372. Transportation.

An infuser organization shall not transport cannabis or cannabis-infused products to or from any person or entity other than a cultivation center, craft grower, dispensing organization, or infuser organization.

Section 3: Chapter 18, Taxation of the Code of Ordinances of the Village of Robbins, Illinois is hereby amended as follows:

Article V Municipal Cannabis Retailers' Occupation Tax

Sec. 18-91. Tax Imposed.

A tax is hereby imposed, in accordance with the Municipal Cannabis Retailers' Occupation Tax Law (65 ILCS 5/8-11-22), upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), at retail in the corporate limits of the village at the rate of three percent (3%) of the gross receipts from these sales made in the course of that business.

Sec. 18-92. Collection and enforcement.

The tax imposed by this article, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Illinois Department of Revenue. The Illinois Department of Revenue shall have full power to administer and enforce the provisions of this chapter. Any tax required to be collected pursuant to or as authorized by this chapter and any such tax collected by such retailer and required to be remitted to the Illinois Department of Revenue shall constitute a debt owed by the retailer to the State of Illinois. Retailers may reimburse themselves for

their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any state tax that sellers are required to collect, as provided in 65 ILCS 5/8-11-22.

Sec. 18-93. Effective date.

The tax provided for in this chapter shall take effect for sales on or after the first day of January 2023, or on or after such other date as provided for by 65 ILCS 5/8-11-22 or other applicable enactment of law.

Section 4: Section XIV, B1 Business District, of the Robbins Zoning Ordinance of 1995 of the Code of Ordinances of the Village of Robbins, Illinois is hereby amended by inserting the following:

A. B. PERMITTED USES

...

60. A Cannabis Establishment as set forth in Chapter 12, Licenses, Permits and Miscellaneous Business Regulations, Article IX Cannabis Establishments, *et. al.*, of the Code Of Ordinances of the Village of Robbins, Illinois.

Section 5: If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.


Section 6: All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: This ordinance shall be in full force and effect on August 23, 2022, 2022 after its publication in pamphlet form.

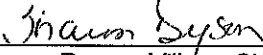
ADOPTED this 23rd day of August, 2022, pursuant to a roll call vote as follows:

	AYES	NAYS	ABSENT	ABSTAIN
George Brewton			X	
David R Dyson	X			
Tiffany S Robinson	X			
Gregory Jackson			X	
Michael Collier Sr			X	
Ernest Maxey Jr	X			
Mayor Darren Bryant				
Total	3		3	

PASSED AND APPROVED on this 23rd day of August, 2022.

  
Darren Bryant, Mayor

ATTEST:

  
Sharon Dyson, Village Clerk