

To Licensing Committee

ORDINANCE

WHEREAS, the City of Chicago (the "City") is a home rule unit of government under Article VII, Section 6(a) of the Constitution of the State of Illinois, and, as such, may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Agriculture Improvement Act of 2018 – commonly known as the 2018 Farm Bill – legalized, but did not regulate, certain cannabinoid hemp products; and

WHEREAS, this lack of regulation has led to a proliferation of retailers selling essentially unregulated psychoactive cannabis, often containing significant quantities of delta-8 and delta-9 THC, with no safety regulations such as minimum age limits, testing, or truth in labeling requirements; and

WHEREAS, the proliferation of these stores and products in and around the central business district which, because of its unique character, configuration and intensive pedestrian, tourism and entertainment related traffic, presents a higher level of congestion, public safety, and security concerns; and

WHEREAS, in order to protect the health and safety of our residents and visitors, the City Council desires to prohibit the sale of such unregulated cannabinoid hemp products in and around the central business district; now, therefore:

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

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

SECTION 2. Section 4-4-331 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by inserting the language underscored, as follows:

4-4-331 Cannabinoid hemp products – Prohibited Areas.

(a) As used in this section:

(Omitted text is unaffected by this ordinance)

"Concealment" means to deliberately hide to prevent or evade discovery.

"Near North Side Area" means that portion of the City bounded as follows: Beginning at the intersection of St. Clair Street and Illinois Street, thence east on Illinois Street to the east side of Du Sable Lake Shore Drive, thence north along Du Sable Lake Shore Drive, continuing north along the shoreline of Lake Michigan to Division Street, thence west on Division Street to Stone Street, thence north on Stone Street to Scott Street, thence west on Scott Street to State Parkway, thence north on State Parkway to North Boulevard, thence west on North Boulevard to Clark Street, thence northwest on Clark Street to LaSalle Drive, thence west on LaSalle Drive to Eugenie Street, thence west on Eugenie Street to Hudson Avenue, thence south on Hudson Avenue to of North Avenue, thence west on North Avenue to Vine Street, thence north on Vine Street to Willow Street, thence west on Willow Street to Halsted Street, thence south on Halsted Street to North Avenue, thence west on North Avenue to Clybourn Avenue, thence northwest on

Clybourn Avenue to Racine Avenue to Dickens Avenue, thence east on Dickens Avenue to Clifton Avenue, thence north on Clifton Avenue to Webster Avenue, thence west on Webster Avenue to Racine Avenue, thence north on Racine Avenue to Belden Avenue, thence east on Belden Avenue to Clifton Avenue, thence north on Clifton Avenue to Fullerton Avenue, thence west on Fullerton Avenue to Ashland Avenue, thence south on Ashland Avenue to Clybourn Avenue, thence southeast on Clybourn Avenue to Southport Avenue, thence south on Southport Avenue to Kingsbury Street, thence southeast on Kingsbury Street to Courtland Street, thence east on Courtland Street to Marcey Street, thence southeast on Marcey Street to Willow Street, thence southwest on Willow Street to Kingsbury Street, thence southeast on Kingsbury Street to North Avenue, thence east on North Avenue to Fremont Street, thence south on Fremont Street to Blackhawk Street, thence east on Blackhawk Street to Halsted Street, thence north on Halsted Street to Clybourn Avenue, thence southeast on Clybourn Avenue to Weed Street, thence northeast on Weed Street as extended to the Conrail Railroad, thence east along the Conrail Railroad to the alley west of Orchard Street as extended, thence north along such alley as extended to North Avenue, thence west on North Avenue to Burling Street as extended, thence north along Burling Street as extended to Concord Place, thence east on Concord Place to Orchard Street, thence south on Orchard Street as extended to the Conrail Railroad, thence east along the Conrail Railroad to Larrabee Street, thence south on Larabee Street to Blackhawk Street, thence east on Blackhawk Street to Mohawk Street, thence south on Mohawk Street to Clybourn Avenue, thence southeast on Clybourn Avenue to Goethe Street, thence northeast on Goethe Street to Cleveland Avenue, thence north on Cleveland Avenue to Blackhawk Street, thence east on Blackhawk Street to Sedgwick Street, thence north on Sedgwick Street to North Avenue, thence east on North Avenue to the alley immediately east of Sedgwick Street, thence north on such alley east of Sedgwick Street and following such alley east to North Park Avenue, thence south on North Park Avenue to North Avenue, thence west on North Avenue to Orleans Street, thence south on Orleans Street to the Conrail Railroad, thence east and south along the Conrail Railroad to Schiller Street, thence west on Schiller Street to Sedgwick Street, thence south on Sedgwick Street to Goethe Street, thence east on Goethe Street to the Conrail Railroad, thence south along the Conrail Railroad to Division Street, thence east on Division Street to Clark Street, thence south on Clark Street to Elm Street, thence west on Elm Street to LaSalle Drive, thence south on LaSalle Drive to Wendell Street, thence west on Wendell Street to Wells Street, thence south on Wells Street to Chestnut Street thence west on Chestnut Street to Orleans Street, thence north on Orleans Street to Locust Street, thence west on Locust Street to Sedgwick Street, thence south on Sedgwick Street to the alley immediately north of Chicago Avenue, thence east along such alley to Orleans Street, thence north on Orleans Street to Institute Place, thence east on Institute Place to Wells Street, thence south on Wells Street to Chicago Avenue, thence east on Chicago Avenue to the alley immediately east of Clark Street on the north side, thence north along such alley to Chestnut Street, thence east on Chestnut Street to Dearborn Street, thence north on Dearborn Street to Walton Street, thence east on Walton Street to State Street, thence north on State Street to Cedar Street, thence east on Cedar Street to Inner Lake Shore Drive, thence south on Inner Lake Shore Drive continuing south onto Michigan Avenue to Chicago Avenue, thence west on Chicago Avenue to Wabash Avenue, thence south on Wabash Avenue to Superior Street, thence west on Superior Street to State Street, thence south on State Street to Huron Street, thence east on Huron Street to St. Clair Street, thence south on St. Clair Street to Illinois Street.

"Hemp" means the plant Cannabis sativa L. and any part of such plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, that is not cannabis regulated under the Compassionate Use Medical Cannabis Program Act (410 ILCS 130/1 et seq.) or the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.).

(Omitted text is unaffected by this ordinance)

(b) No licensee under this Code or their agent or employee shall possess, sell, offer for sale, give away, barter, exchange, or otherwise furnish on the licensed premises any cannabinoid hemp products, or engage in an act of concealment of cannabinoid hemp products on any licensed premises, within the Midway Residential Area and the Near North Side Area.

(c) Except as otherwise provided in this Code, any person who violates any of the requirements of this section or any rule or regulation promulgated thereunder shall be fined not less than \$2,000.00 nor more than \$5,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(d) Any violation of this section or any rule or regulation promulgated thereunder may result in license suspension or revocation in accordance with the requirements of Section 4-4-280.

SECTION 3. This ordinance shall take effect 60 days after passage.

