

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 unregulated products are often packaged and marketed in ways that are appealing or targeted to minors, with minors comprising over 40% of all hemp-related poisonings nationwide, despite making up just 22% of the population; and

WHEREAS, the O'Hare Residential Area is predominantly comprised of residential neighborhoods that are home to thousands of families, with William Howard Taft High School, Everett McKinley Dirksen Elementary School, John W Garvy Elementary School, and Jean Baptiste Beaubien Elementary School consistently ranking among the most overcrowded schools in the City; and

WHEREAS, in order to protect the health and safety of our residents, particularly our minors, the City Council desires to prohibit the sale of such unregulated cannabinoid hemp products in and around the O'Hare Residential Area; 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)

"O'Hare Residential Area" means that portion of the City bounded as follows: Beginning at the intersection of Devon Avenue and Nagle Avenue, thence east on Devon Avenue to the intersection of Devon Avenue and Ionia Avenue, as extended, thence northwest on Ionia Avenue as extended to Devon Avenue and continuing along the City boundary to the intersection of Lawrence Avenue and the Des Plaines River, thence east on Lawrence Avenue to East River Road, thence north on East River Road and continuing along the City boundary to the intersection of Narragansett Avenue and Giddings Street, thence east on Giddings Street to Melvina Avenue, thence south on Melvina Avenue to Eastwood Avenue, thence east on Eastwood Avenue to Central Avenue, thence south on Central Avenue to Cullom Avenue, thence east on Cullom Avenue to Laramie

Avenue, thence south on Laramie Avenue to the alley between Hutchinson Street and Berteau Avenue, thence east on such alley to the alley immediately west of Milwaukee Avenue, thence south on such alley to Berteau Avenue, thence west on Berteau Avenue to Dickinson Avenue, thence south on Dickinson Avenue and continuing on Lavergne Avenue to Irving Park Road, thence west on Irving Park Road to Lockwood Avenue, thence south on Lockwood Avenue to the alley between Byron Street and Dakin Street, thence east on such alley to Laramie Avenue, thence south on Laramie Avenue to Byron Street, thence east on Byron Street to Lavergne Avenue, thence south on Lavergne Street to the alley between Grace Street and Warwick Avenue, thence east on such alley to Lamont Avenue, thence north on Lamont Avenue to Grace Street, thence east on Grace Street to the alley immediately east of Cicero Avenue, thence south on such alley to the alley between Grace Street and Warwick Avenue, thence east on such alley to Kenton Avenue, thence north on Kenton Avenue to Grace Street, thence east on Grace Street as extended to the railroad line immediately east of Kenton Avenue, thence north along such railroad line to Irving Park Road, thence east on Irving Park Road to Keeler Avenue, thence south on Keeler Avenue to Byron Street, thence east on Byron Street to Avondale Avenue, thence southeast on Avondale Avenue to Pulaski Road, thence north on Pulaski Road to Dakin Street, thence east on Dakin Street to Springfield Avenue, thence south on Springfield Avenue to Byron Street, thence east on Byron Street to Central Park Avenue, thence north on Central Park Avenue to Belle Plaine Avenue, thence west on Belle Plaine Avenue to Ridgeway Avenue, thence south on Ridgeway Avenue to the first alley south of Belle Plaine Avenue, thence west on such alley and continuing northwest on such alley to Belle Plaine Avenue, thence west on Belle Plaine Avenue to Pulaski Road, thence south on Pulaski Road to Irving Park Road, thence west on Irving Park Road continuing northwest on the I-90/I94 to Montrose Avenue, thence west on Montrose Avenue to the railroad line immediately west of I-90/94, thence north along such railroad line to Cicero Avenue, thence north on Cicero Avenue to Elston Avenue, thence northwest on Elston Avenue to Austin Avenue, thence north on Austin Avenue to Peterson Avenue, thence west on Peterson Avenue to Nagle Avenue, thence north on Nagle Avenue to the place of beginning.

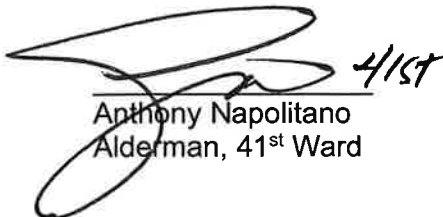
(Omitted text is unaffected by this ordinance)

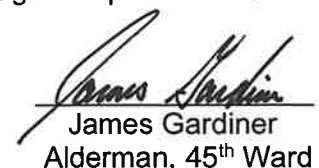
(b) No licensee under this Code or their agent or employee shall possess, sell, offer for sale, give away, barter, exchange, or otherwise furnish on the licensed premises any cannabinoid hemp products, or engage in an act of concealment of cannabinoid hemp products on any licensed premises, within the Belmont Cragin-Hermosa Residential Area, the Midway Residential Area, ~~or~~ the Lake Calumet Residential Area, or the O'Hare Residential 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 10 days after passage and publication.


Anthony Napolitano
Alderman, 41st Ward


James Gardiner
Alderman, 45th Ward