

JOURNAL OF PROCEEDINGS

**REGULAR MEETING
City Council of the City of Calumet City
Cook County, Illinois**

APRIL 9, 2020

Public Comment

None

Pledge Of Allegiance

The City Council of the City of Calumet City met via teleconference at 3:32 p.m. in a regular meeting on April 9, 2020 with Mayor Michelle Markiewicz Qualkinbush, present and presiding.

ROLL CALL

PRESENT: 7

ALDERMAN: Navarrete, Swibes, Tillman, Williams, Gardner, Patton, Smith.

ABSENT: 0

ALDERMAN: None

Also present was City Clerk Figgs, City Attorney Lauren DeValle, City Attorney Burt Odelson, Police Chief Fletcher, Fire Chief Bachert, Economic Director Joe Wiszowaty, Street, Alley, Water & Sewer Comm. B. Manousopoulos, City Accountant John Kasperek, City Treasurer Gerald Tarka, Mayor's Assistant Rose Bonato, Deputy Clerk Danielle Smith, and City Administrator William Murray.

There being a quorum present, the meeting was called to order.

Approval of Minutes

Alderman Gardner moved, seconded by Alderman Smith, to approve the minutes of 2/27/2020 Regular Meeting as presented.

MOTION CARRIED

NEW BUSINESS

Approve Zoning Board recommendation relative to text amendment allowing Cannabis business establishments.

Accept the Zoning Board recommendation relative to text amendment allowing Cannabis business establishments.

Accept the recommendation

Alderman Smith moved, seconded by Alderman Patton, to accept the recommendation.

MOTION CARRIED

RESOLUTIONS AND ORDINANCES

#1: Resolution Approving Renewal And Confirmation of Local Disaster And State Of Emergency Within The City Of Calumet City

Resolution Approving Renewal And Confirmation of Local Disaster And State Of Emergency Within The City OF Calumet City

**THE CITY OF CALUMET CITY
COOK COUNTY, ILLINOIS**

**RESOLUTION
NUMBER 20-13**

**A RESOLUTION
APPROVING RENEWAL AND CONTINUATION OF LOCAL DISASTER
AND STATE OF EMERGENCY WITHIN THE CITY OF CALUMET CITY
IN RESPONSE TO THE COVID-19 PANDEMIC**

**MICHELLE MARKIEWICZ QUALKINBUSH, Mayor
NYOTA T. FIGGS, City Clerk**

**DEJUAN GARDNER
MICHAEL NAVARRETE
JAMES PATTON
ANTHONY SMITH
MARY E. SWIBES
DEANDRE TILLMAN
RAMONDE WILLIAMS**

Aldermen

Published in pamphlet form by authority of the Mayor and City Council of the City of Calumet City on 4 / 9 /2020

City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

RESOLUTION NO. 20-13

**A RESOLUTION APPROVING RENEWAL AND CONTINUATION OF LOCAL
DISASTER AND STATE OF EMERGENCY WITHIN THE CITY OF CALUMET CITY
IN RESPONSE TO THE COVID-19 PANDEMIC**

WHEREAS, the City of Calumet City, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII 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 including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides for the declaration of a state of emergency and the grant of extraordinary power and authority to the Mayor by the corporate authorities to exercise, by executive order, during a state of emergency, such of the powers of the City Council as may be reasonably necessary to respond to the emergency; and

WHEREAS, the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, further provides for emergency local disaster declaration by the Mayor, as principal executive officer of the City, or his or her interim emergency successor, the effect of which is to activate the emergency operations plan of the City pursuant to the Emergency Management Agency Act and to authorize the furnishing of aid and assistance thereunder; and

WHEREAS, on April 6, 2020, in light of the further developments related to the COVID-19 Pandemic, the City Council further amended and approved the emergency powers of the Mayor pursuant to Ordinance No. 20-18 entitled *An Ordinance Pertaining to Local Disaster and State of Emergency*; and

WHEREAS, on April 6, 2020, the Mayor executed and issued a Statement of Standards and Declaration of Local State of Emergency, pursuant to Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6), Section 11 of the Illinois Emergency Management Agency Act (20 ILCS 3305/11), and Chapter 22, Article VI of the Municipal Code for the City of Calumet City; and

WHEREAS, on April 6, 2020, the City Council passed Resolution No. 20-12 approving the existence and renewal of a local disaster and state of emergency due to the COVID-19 Pandemic; and

WHEREAS, the City Council finds it is in the best interests of the City, its residents, and the public health and safety to approve any previous and current Declaration of Local State of Emergency and the emergency powers granted and executed to the Mayor thereunder.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, as follows:

SECTION 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2. The Statement of Standards and Declaration of Local State of Emergency executed and issued by the Mayor, or any substantially similar proclamation, re-proclamation, declaration, or order issued or re-issued by the Mayor related to the COVID-19 Pandemic, is hereby ratified, approved, continued, and extended until the next meeting of a quorum of the City Council is held, at which time it may be continued or extended by further act of the City Council, pursuant to applicable law.

SECTION 3. The Mayor is further authorized to exercise the emergency powers granted to him/her pursuant to Ordinance No. 20-18 and Chapter 22, Article VI of the Municipal Code of the City of Calumet City, as amended, and any exercise of powers granted therein prior to the passage of this Resolution are expressly affirmed and approved. The State of Emergency and the Emergency Powers granted therein shall be in continuous effect until the next meeting of a quorum of the City Council is held, at which time it may be continued or extended by further act of the City Council.

SECTION 4. This Resolution shall be in full force and effect immediately from and after its passage due to its emergency nature.

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PASSED this 9th day of April, 2020, pursuant to a roll call as follows:

	YES	NO	ABSENT	PRESENT
GARDNER	X			
NAVARRETE	X			
PATTON	X			
SMITH	X			
SWIBES	X			
TILLMAN	X			
WILLIAMS	X			
(MAYOR QUALKINBUSH)				

APPROVED by the Mayor on April 9, 2020.


Michelle Markiewicz Qualkinbush
MAYOR

ATTEST:


Nyota T. Figgs, CITY CLERK

Pass Resolution

Alderman Gardner moved, seconded by Alderman Smith, to pass the resolution (item #1) as presented.

(Res. #20- 13)

(See attached page 1A)

AYES: 7
NAYS: 0
ABSENT: 0

ALDERMEN: Navarrete, Swibes, Tillman, Williams, Gardner, Patton, Smith
ALDERMEN: None
ALDERMEN: None

MOTION CARRIED

#2: Ordinance Approving The Recommendation Of The Zoning Board Allowing Cannabis Business Establishments

Ordinance Approving The Recommendation Of The Zoning Board Allowing Cannabis Business Establishments

Discussion on Cannabis Ordinances

A lengthy discussion was held with City Attorneys, Burt Odelson and Lauren DeValle giving an in-depth explanation of the ordinances relating to allowing cannabis business establishments in Calumet City.

Adopt Ordinance

Alderman Smith moved, seconded by Alderman Tillman, to adopt the ordinance (item #2) as presented.

(Ord. #20- 19)

(See attached page 2A)

ROLL CALL

AYES: 7
NAYS: 0
ABSENT: 0

ALDERMEN: Navarrete, Swibes, Tillman, Williams, Gardner, Patton, Smith
ALDERMEN: None
ALDERMEN: None

MOTION CARRIED

#3: Ordinance Amending Chapter 62 Offenses And Miscellaneous Provisions (Concerning Cannabis).

Ordinance Amending Chapter 62 Offenses And Miscellaneous Provisions (Concerning Cannabis).

Adopt Ordinance

Alderman Williams moved, seconded by Alderman Smith, to adopt the ordinance (item #3) as presented.

(Ord. #20- 20)

(See attached page 2B)

ROLL CALL

AYES: 7
NAYS: 0
ABSENT: 0

ALDERMEN: Navarrete, Swibes, Tillman, Williams, Gardner, Patton, Smith
ALDERMEN: None
ALDERMEN: None

MOTION CARRIED

THE CITY OF CALUMET CITY
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER 20-19

**AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF
CALUMET CITY TO REGULATE CANNABIS BUSINESS
ESTABLISHMENTS**

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor
NYOTA T. FIGGS, City Clerk

DEJUAN GARDNER
MICHAEL NAVARRETE
JAMES PATTON
ANTHONY SMITH
MARY E. SWIBES
DEANDRE TILLMAN
RAMONDE WILLIAMS

Aldermen

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Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

ORDINANCE NO. 20-19

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CALUMET CITY TO REGULATE CANNABIS BUSINESS ESTABLISHMENTS

WHEREAS, the City of Calumet City, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII 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 (the “Home Rule Powers”); and

WHEREAS, the City has previously adopted the Zoning Ordinance of the City of Calumet City, which contains the City’s official zoning districts and their related permitted and conditional uses; and

WHEREAS, the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1 et. seq., allows the City to enact reasonable zoning regulations governing cannabis business establishments; and

WHEREAS, The City’s Zoning Board of Appeals held a duly noticed public hearing on December 19, 2019 and January 8, 2020 wherein it recommended approval of the amendments; and

WHEREAS, the Mayor and City Council find it to be in the best interest of the City to amend the Zoning Ordinance of the City of Calumet City, Illinois to establish reasonable zoning regulations for cannabis business establishments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their

entirety.

Section 2: Section 3.2 Definitions of Sec. III. Rules and definitions of The Zoning Ordinance of the City of Calumet City is hereby amended by adding the following definitions:

Cannabis Business Establishment. An adult-use or medical cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization, or transporting organization.

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, per the Cannabis Regulation and Tax Act, 410 ILCS 705, et. seq., as it may be amended from time-to-time, and regulations promulgated thereunder.

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 establishments, per the Cannabis Regulation and Tax Act, 410 ILCS 705, et. seq. and the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et. seq. as they may be amended from time-to-time, and regulations promulgated thereunder.

Cannabis Dispensing Organization or Dispensary: A facility operated by an 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, per the Cannabis Regulation and Tax Act, 410 ILCS 705, et. seq., and the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1 et. seq. as they may be amended from time-to-time, and regulations promulgated thereunder.

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, per the Cannabis Regulation and Tax Act, 410 ILCS 705, et. seq., as it may be amended from time-to-time, and regulations promulgated thereunder.

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, per the Cannabis Regulation and Tax Act, 410 ILCS 705, et. seq., as it may be amended from time-to-time, and regulations promulgated thereunder.

Cannabis Transporting Organization or Transporter: An organization or business that is licensed by the Illinois 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, per the Cannabis Regulation and Tax Act 410 ILCS 705, et. seq., as it may be amended from time-to-time, and regulations promulgated thereunder.

Section 3: Sec.VIII. “Commercial business district” of the Zoning Ordinance of the City of Calumet City is hereby amended by eliminating the stricken language and adding the underlined language a as follows:

8.1. B-1 Commercial business district.

Permitted uses. The following is a list of uses permitted in the commercial business district, provided they are operated entirely within a building, except for off-street parking or loading facilities:

- Air conditioning and heating sales and service.
- Antique shops.
- Art, dancing, vocational, professional and business schools.
- Art galleries and studios.
- Art needle work and hand weaving.
- Auto and truck accessories store.
- Automobile laundries.
- Automobile sales, including accessories.
- Banks and financial institutions.
- Bakery shops, including the baking and processing of food products when prepared for retail use on the premises only.
- Barber shops and beauty parlors.
- Book and stationery stores.
- Candy and ice cream shops.
- Camera, photographic supply, developing and processing shops for retail sales.
- Cameras and other photographic equipment and supplies.
- Carpet, rug and linoleum stores.
- China and glassware stores.
- Christmas tree sales.
- Clothing stores.
- Coin and philatelic stores.
- Collection agency.

Currency exchanges.
Custom dressmaking, millinery or tailoring when conducted for retail sale on the premises only.
Dentures.
Department stores.
Drug stores.
Electrical and plumbing parts and supplies distributor (wholesale).
Electrical appliance stores and repairs, but not including appliance assembly or manufacturing.
Electrical television and radio sales (wholesale).
Employment agency.
Festivals (with council approval), per day.
Florist shops and conservatories for retail trade on the premises only.
Funeral parlor or mortuary.
Furniture stores.
Furrier, when conducted for retail trade on the premises only.
Gift shops.
Grocery stores.
Hardware stores.
Haberdasheries.
Health clubs.
Hobby and craft stores.
Interior decorating shops, including upholstering and making of draperies, slip covers and other similar articles, when conducted as a part of the retail operations and secondary to the main use.
Jewelry and watch repair shops.
Key and/or bicycle repair shop.
Laundries, automatic, self-service types, or hand.
Leather goods and luggage stores.
Locksmith.
Millinery shops.
Musical instrument sales and repair, retail trade only.
Nursery for children.
Office supply, equipment and furniture store.
Offices, business and professional, including medical clinics.
Off-street parking and loading facilities, as permitted or required in accordance with the provisions of section.
Oil lubricating facilities for motor vehicles.
Optical sales, glasses, frames and lenses.

Orthopedic and medical appliance store, but not including the assembly or manufacture of such articles.

Photography studios, including the development of film and pictures when done as a part of the retail business on the premises.

Picture framing, when conducted for retail trade on the premises only.

Plumbing and heating showrooms and shops.

Printing and newspaper publishing, including engraving and photo-engraving.

Private clubs and lodges of fraternal and religious organizations when not operated for profit.

Private police protection and/or detective agencies.

Public utility collection offices.

Restaurants.

Retail tire and accessories.

Savings and loan associations.

Sewing machine sales and service.

Shoe and hat stores, and repairing when done as a part of the retail business.

Signs, as permitted and regulated in section.

Sporting goods stores.

Telegraph offices.

Telephone and business answering service.

Television parts and supplies distributors.

Theater (indoor) within zoning lots of fifty (50) acres or more.

Tobacco stores.

Toy stores.

Trailer sales.

Travel bureau and transportation ticket offices.

A single dwelling unit as an accessory use to a permitted use to be used only by an owner, manager or employee of the business establishment of the principal use of a zoning lot, but only to be located within a principal building that is greater than four thousand (4,000) square feet and less than six thousand (6,000) square feet and provided sufficient overnight parking is available on the zoning lot.

Special uses. Retail businesses not specifically listed above when found to have economic compatibility with established uses on adjoining property shall meet the requirements of section 12.7. Cannabis Craft Growers, Cultivation Centers, Dispensaries, Infusers, Processors, and Transporters are special uses in the B-1 Commercial business district.

Conditions of use. All uses permitted in this district shall be retail establishments dealing directly with consumers and shall be subject to the following conditions:

The sale of food stuffs or articles intended for human consumption shall be conducted wholly within an enclosed building equipped with adequate sanitary facilities.

There shall be no manufacture, processing or treatment of products other than those which are clearly incidental and essential to the retail business conducted on the same premises.

Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes.

That any exterior sign displayed shall pertain only to a use conducted within the building.

Transitional yards. Where a B-1 district adjoins a residential district, transitional yards shall be provided in accordance with the following regulations:

When lots in a local business district front on the street and at least eighty (80) percent of the frontage directly across the street between two (2) consecutive intersecting streets is in a residential district, the front yard regulations for the residential district shall apply to the said lots in the business district.

In a district where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along with side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residence district.

In a local business district where a rear lot line coincides with a rear lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be twenty (20) feet in depth.

In a business district, where the extension of a front or side lot line coincides with the front lot line of an adjacent lot located in a residential district, a yard equal in depth to the minimum front yard required by this ordinance on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least twenty-five (25) feet, including the width of any intervening alley, from such lot in the residential district.

Transitional yards shall be unobstructed from lowest level to sky except as allowed in section.

Maximum floor area and coverage. The floor area shall not exceed more than sixty (60) percent of a zoning lot shall be covered by a building or buildings.

Off-street parking and loading. Off-street parking and loading shall be as permitted or required in section.

Rear yard. There shall be a rear yard having a depth of not less than ten (10) feet.

8.2 B-2 service commercial business district.

(1) *Description and intent of district.* The B-2 district is intended to provide a mix of retail and general business uses within the city. The type of general business uses permitted includes those uses deemed compatible with retail uses. The district is intended for application on smaller development sites.

(2) *Permitted uses.* The following uses are permitted uses in the B-2 district:

Air conditioning, plumbing and heating sales and service.

Auto and truck parts and accessory stores (new parts sales).

Appliance store.

Banks and financial institutions.

Banquet hall.
Bakery (on-site sales only).
Barbershop and hair salon.
Books and periodicals.
Bicycle sales and repair.
Camera and photo equipment store.
Catering service.
Car care center (brakes, muffler, lube, tire, detailing and accessories in a completely enclosed building).
Christmas tree sales.
Clinic.
Currency exchanges.
Dry cleaners.
Electrical and plumbing parts and supplies distribution.
Employment agency.
Exterminator and pest control.
Florists shops.
Garden supply.
Gift shop.
Hardware store.
Health and fitness club.
Heating and plumbing sales and service.
Higher education facilities and classrooms for business and professional schools.
Household electrical appliance sales and repair (excluding sales and manufacturing).
Home improvement center.
Laundromat, automatic coin operated.
Locksmith.
Mortuaries and funeral parlors.
Music or dance studio.
Office, service and business.
Office supply store.
Orthopedic and medical supply store.
Photocopy and retail printing services.
Photography studio.
Plumbing showroom and shop.
Physical therapy facilities, medical.
Post office and express mail agencies.

Printing and publishing services.
Radio and television stations and studios.
Restaurant.
Savings and loan.
Sewing machine sales and repair.
Shoe repair.
Small animal grooming establishment.
Taxi service company.
Taxi stand.
Taxidermists.
Telegraph office.
Television sales and service.
Truck and trailer rental agency.

Accessory uses.

A single dwelling unit as an accessory use to a permitted use to be used only by an owner, manager or employee of the business establishment of the principal use of a zoning lot, but only to be located within a principal building that is greater than four thousand (4,000) square feet and less than six thousand (6,000) square feet and provided sufficient overnight parking is available on the zoning lot.

- (3) *Special uses.* The following special uses may be authorized in conformance with subsection 12.7 of this ordinance:

Automobile laundry.

Bus station.

Cannabis Craft Growers

Cannabis Cultivation Centers

Cannabis Dispensaries

Cannabis Infusers

Cannabis Processors

Cannabis Transporters

Child care center and preschool.

Churches.

Cultural institutions including art galleries and museums.

Drive-in and drive-through facilities.

Gasoline fuel station and food mart.

Institutional uses.

Kennel (wholly enclosed).

Parks and recreation facilities.

Planned development.
 Public utilities, facilities and services.
 Self-service storage facilities.
 Veterinary hospital.
 Accessory uses.

(4) *Lot size requirements.*

- (a) The lot area of each zoning lot shall not be less than twelve thousand (12,000) square feet.
- (b) The minimum lot width of each zoning lot shall not be less than seventy-five (75) feet.

(5) *Yard requirements.* The following yards shall be maintained in the B-2 district:

	Building ⁽¹⁾	Parking
Front	10 ft.	6 ft.
Side	5 ft.	5 ft.
Rear	5 ft. ⁽²⁾	5 ft.
Transitional	6 ft. ⁽²⁾	6 ft.

¹ In a B-2 district where the extension of a front or side lot line coincides with the front or side lot line of an adjacent lot located in a residentially zoned district, a yard equal to the depth of the minimum front yard required by this ordinance, on such adjacent lot in the residential district, shall be provided along such front or side lot line in the B-2 district.

² Where a zoning lot adjoins an improved alley which also lies across and adjoins residentially zoned land, the yard may be reduced to zero for the placement of the principal structure only.

- (6) *Maximum lot coverage.* The total lot area occupied by any principal buildings and accessory buildings, together with all impervious surfaces, shall not exceed ninety (90) percent.
- (7) *Maximum floor area.* The maximum allowable floor area ratio in the B-2 district is .8.
- (8) *Maximum building height.* No building or structure shall be erected or altered to exceed a height of thirty-five (35) feet.
- (9) *District standards.*
 - (a) All on-site utility lines, but excluding high tension power lines, shall be located underground.
 - (b) At the discretion of the approving authority as part of any site plan approval, blanket cross-easements for vehicle access may be obtained generally parallel to the interior of front property lines. These easements are intended to provide for effective motor vehicle access, minimizing access to public streets. Easements will not be required where a frontage road system is in place or a coordinated access system is provided through a planned development.

- (c) All business, service, storage, and display of goods and services shall be conducted within a completely enclosed structure, except:
 - 1. Off-street parking and loading;
 - 2. Recreational uses;
 - 3. Accessory uses;
 - 4. Uses allowed as part of a special use permit.
 - (d) All development shall meet the performance standards requirements of subsection 9.1 M-1 light industrial district.
- (10) *Related regulations and requirements.* Other pertinent regulations contained within this ordinance that shall be observed, include, but are not limited to:
- (a) Section IV [XII], subsection 12.9, State Street—State Line Road Redevelopment Area site development plan review.
 - (b) Section IV [XII], subsection 12.10, Landscape plan approval.
 - (c) Section X, Off-street parking and loading.
 - (d) Section XI, Signs.

8.3 B-3 community commercial business district.

- (1) *Description and intent of district.* The B-3 district is intended to serve immediate neighborhoods and the community with a range of retail goods and services. The district is intended to be smaller in overall scale, and situated at select arterial and collector street locations.
- (2) *Permitted uses.* The following uses are permitted uses in the B-3 district:
 - Apparel.
 - Appliance stores.
 - Arts and crafts stores.
 - Art and office supply.
 - Automobile accessory store.
 - Bakery (on-site retail sales only).
 - Banks and other financial institutions.
 - Barbershop and hair salon.
 - Books and periodical store.
 - Brokerage office.
 - Carpet, rug and linoleum store.
 - Consumer electronics store.
 - Delicatessen.
 - Drugs and cosmetic store.
 - Employment agency.
 - Florist shop.
 - Food store and food mart.

Gift shop.
Grocery store.
Hardware store.
Health and fitness club.
Hobby shop.
Housewares and kitchen supply.
Interior decorating.
Jewelry store.
Laundromat, automatic, coin operated.
Locksmith shop.
Music store.
Office, service and business.
Office supply store.
Optical sales and service.
Paint and wall paper store.
Pet store.
Photocopying and retail printing services.
Picture framing shop.
Planned development.
Post office.
Restaurant.
Secretarial services.
Shopping center.
Sporting goods and bicycle shop.
Telegraph and telephone answering service.
Television sales and service.
Taxi stand.
Toy store.
Variety store.
Video and music sales and rental store.
Accessory uses.

- (3) *Special uses.* The following special uses may be authorized in conformance with subsection 12.7 of this ordinance:

Automobile laundry.

Cannabis Craft Growers

Cannabis Cultivation Centers

Cannabis Dispensaries

Cannabis Infusers

Cannabis Processors

Cannabis Transporters

Child day care center and preschool.

Churches.

Clinics.

Cultural institutions including art galleries and museums.

Drive-in and drive-through facilities.

Gasoline fuel station and food mart.

Institutional uses.

Library.

Parks and recreation.

Planned development.

Public utilities, facilities and services.

Accessory uses.

(4) *Lot size requirements.*

(a) The lot area of each zoning lot shall not be less than twenty thousand (20,000) square feet.

(b) The minimum lot width of each zoning lot shall not be less than one hundred fifty (150) feet.

(5) *Yard requirements.* The following yards shall be maintained in the B-3 district:

	Building ⁽¹⁾	Parking
Front	10 ft.	6 ft.
Side	5 ft.	5 ft.
Rear	5 ft.	5 ft.
Transitional	10 ft.	6 ft.

⁽¹⁾ In a B-3 district where the extension of a front or side lot line coincides with the front or side lot line of an adjacent lot located in a residentially zoned district, a yard equal to the depth of the minimum front yard required by this ordinance, on such adjacent lot in the residential district, shall be provided along such front or side lot line in the B-3 district.

(6) *Maximum lot coverage.* The total lot area occupied by any principal buildings and accessory buildings, together with all impervious surfaces, shall not exceed ninety (90) percent.

(7) *Maximum floor area.* The maximum allowable floor area ration in the B-3 district is .5.

- (8) *Maximum building height.* No building or structure shall be erected or altered to exceed a height of thirty-five (35) feet.
- (9) *District standards.*
 - (a) All on-site utility lines, but excluding high tension power lines, shall be located under ground.
 - (b) At the discretion of the approval authority as part of any site plan approval, blanket cross-easements for vehicle access may be obtained generally parallel to the interior of front property lines. These easements are intended to provide for effective motor vehicle access, minimum access to public streets. Easements will not be required where a frontage road system is in place or a coordinated access system is provided through a planned development.
 - (c) All business, service, storage, and display of goods and services shall be conducted within a completely enclosed structure, except:
 - 1. Off-street parking and loading;
 - 2. Recreational uses;
 - 3. Accessory uses;
 - 4. Uses allowed as part of a special use permit.
 - (d) All development shall meet the performance standards requirements of subsection 9.1 M-1 light industrial district.
- (10) *Related regulations and requirements.* Other pertinent regulations contained within this ordinance that shall be observed, include, but are not limited to:
 - (a) Section IV [XII], subsection 12.9 State Street—State Line Road Redevelopment Area site development plan review.
 - (b) Section IV [XII], subsection 12.10, Landscape plan approval.
 - (c) Section X, Off-street parking and loading.
 - (d) Section XI, Signs.

Section 4: Section IX. “Industrial districts” of the Zoning Ordinance of the City of

Calumet City is hereby amended by eliminating the stricken language and adding the underlined language as follows:

9.1 M-1 light industry district.

Conditions of use. All permitted uses are subject to the following conditions:

Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials, or products shall conform with the performance standards set forth below.

All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise, specified. Within one hundred and fifty (150) feet of a residence district, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight (8) feet high, but in no case lower in height than the enclosed storage and suitably landscaped.

However, open off-street loading facilities and open off-street parking of motor vehicles under one and one-half (1½) tons capacity may be enclosed throughout the district, except for such screening of parking and loading facilities as may be required under the provisions of Section X.

Uses established on the effective date of this ordinance and, by its provisions, are rendered nonconforming, shall be permitted to continue, subject to the provisions of section.

Uses established after the effective date of this ordinance shall conform fully to the performance standards hereinafter set forth for the district.

Permitted uses. The following uses are permitted:

Retail and services uses, as follows:

Animal pounds and shelters.

Automobile service stations where the retail sale of gasoline and oil for motor vehicles, including minor services customarily incidental thereto, may be conducted out-of-doors. Lubricating and washing facilities, including auto laundries, are permitted only if in a completely enclosed building.

Battery and tire service stations.

Beverages, nonalcoholic, bottling and distributing.

Contractor or construction shops, such as building, cement, electrical, refrigeration, air conditioning, masonry, painting, plumbing, roofing, heating and ventilating.

Fuel sales, with storage of fuel oils, gasoline and other flammable products limited to one hundred twenty thousand (120,000) gallons per tank, with the total storage on a zoning lot not to exceed five hundred thousand (500,000) gallons.

Garages and parking lots, other than accessory, and subject of the provisions of Section X.

Greenhouses.

Ice sales, linen, towel, diaper and other similar supply services.

Riding academies and stables, horse.

Production, processing, cleaning, testing or repair, limited to the following uses and products:

Advertising displays.

Apparel and other products manufactured from textiles.

Automobile painting, upholstering, repairing, reconditioning, and body and fender repairing, when done within the confines of a structure.

Awnings, venetian blinds.

Bakeries.

Beverages, nonalcoholic.

Blacksmith shops.

Books, hand binding and tooling.

Bottling works.

Brushes and brooms.

Building equipment, building materials, lumber, coal, sand and gravel yards, and yards for contracting equipment of public agencies, or public utilities, or materials or equipment of similar nature.

Canning and preserving.

Canvas and canvas products.

Carpet and rug cleaning.

Carting, express hauling or storage yard.

Cement block manufacture.

Ceramic products, such as pottery and small glazed tile.

Cleaning and dyeing establishments.

Clothing.

Cosmetics and toiletries.

Creameries and dairies.

Drugs.

Electric appliances such as lighting fixtures, irons, fans, toasters and electric toys.

Electrical equipment assembly, such as home radio and television receivers and home movie equipment, but not including electrical machinery.

Electrical supplies, manufacturing and assembly of, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.

Food products, processing and combining of (except meat and fish), baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing.

Fur goods, not including tanning and dyeing.

Glass products, from previously manufactured glass.

Hair, felt, and feather products (except washing, curing and dyeing).

Hat bodies of fur and wool felt.

Hosiery.

House trailers.

Ice, dry and natural.

Ink mixing and packaging and inked ribbons.

Insecticides.

Jewelry.

Laboratories, medical, dental, research, experimental and testing, provided there is no danger from fire or explosion nor offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences.

Laundries.

Leather products, including shoes and machine belting.

Luggage.

Machine shops for tool, die and pattern making.

Meat products.

Metal finishing, plating, grinding, sharpening, polishing, cleaning, rustproofing, and heat treatment.

Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.

Musical instruments.

Orthopedic and medical appliances, such as artificial limbs, braces, supports, and stretchers.

Paper products, small, such as envelopes and stationery, bags, boxes, tubes and wallpaper printing.

Perfumes and cosmetics.

Pharmaceutical products, compounding only.

Plastic products, but not including the processing of the raw materials.

Poultry and rabbits, slaughtering.

Precision instruments, such as optical, medical and drafting.

Products from finished materials, plastic, bone, cork, feather, felt, fibre, fur, glass, hair, horn, leather, paper, precious and semiprecious stones, rubber, shell or yarn.

Public utility electric substations and distribution centers, gas regulation centers and underground gas holder stations.

Repair of household or office machinery or equipment.

Rubber products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps and atomizers.

Silverware, plate and sterling.

Soap, and detergents, packaging only.

Soldering and welding.

Sporting and athletic equipment, such as balls, baskets, cues, gloves, bats, racquets and rods.

Statuary, mannequins, figurines, and religious and church art goods, excluding foundry operations.

Storage and sale of trailers, farm implements and other similar equipment on an open lot.

Storage of flammable liquids, fats or oil in tanks each of fifty thousand (50,000) gallons or less capacity, but only after the locations and protective measures have been approved by local governing officials.

Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn thread and cordage, but not including textile bleaching.

Tobacco curing and manufacturing, and tobacco products.

Tool and die shops.

Tools and hardware, such as bolts, nuts and screws, door-knobs, drills, hand tools and cutlery, hinges, house hardware, locks, non-ferrous metal castings and plumbing appliances.

Toys.

Truck, tractor, trailer or bus storage yard, but not including a truck or motor freight terminal which shall be treated under the subsection, Special Uses.

Umbrellas.

Upholstering (bulk), including mattress manufacturing, rebuilding and renovating.

Vehicles, children's, such as bicycles, scooters, wagons and baby carriages.

Watches.

Wood products, such as furniture, boxes, crates, baskets and pencils and cooperage works.

Any other manufacturing establishments that can be operated in compliance with the performance standards of subsection "performance standards," without creating objectionable noise, odor, dust, smoke, gas, fumes or vapor; and that is a use compatible with the use and occupancy of adjoining properties.

Wholesale and warehousing, local cartage and express facilities (but not including motor freight terminals).

Public and community service uses, as follows:

Bus terminals, bus garages, bus lots, street railway terminal, or street car houses.

Electric substations.

Fire stations.

Municipal or privately owned recreation buildings or community centers.

Parks and recreation areas.

Police stations.

Sanitary land fill.

Sewage treatment plants.

Telephone exchanges.

Water filtration plants.

Water pumping stations.

Water reservoirs.

Residential uses, as follows:

Dwelling units for watchmen and their families when located on the premises where they are employed in such capacity.

Miscellaneous uses, as follows:

- Accessory uses.
- Radio and television towers.
- Temporary buildings for construction purposes, for a period not to exceed the duration of such construction.

Off-street parking and loading, as permitted or required in Section X.

Special uses. The following uses may be allowed by special use permit in accordance with the provisions of the administrative section:

Any use which may be allowed as a special use in the B-1 through B-4 business districts, including cannabis business establishments.

Planned developments, industrial.

Motor freight terminals.

Stadiums, auditoriums and arenas.

Any use permitted in the M-2 general manufacturing district, provided the performance standards of subsection, "Performance standards," can be met in their entirety.

Yard areas. No building or structure shall hereafter be erected or structurally altered unless the following yards are provided and maintained in connection with such building:

- (1) Front yard. On every zoning lot a front yard of not less than twenty-five (25) feet in depth shall be provided. However, where lots within the same block and comprising forty (40) percent of the frontage on the same street are already developed on the effective date of this ordinance with front yards with an average depth of less than twenty-five (25) feet, then such average depth shall be the required front yard depth for such frontage in said block.
- (2) Side yards. On every zoning lot a side yard shall be provided along each side lot line. Each side yard shall be not less in width than ten (10) percent of the lot width, but need not exceed twenty (20) feet in width.
- (3) Rear yard. On every zoning lot a rear yard shall be provided and maintained of not less than twenty (20) feet in depth, except that the inner ten (10) feet may be used for off-street parking.

Performance standards. Any use established hereafter in any M-1 manufacturing district shall be so operated as to comply with the performance standards set forth as follows:

Noise. Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be subject to the performance standard hereinafter prescribed provided that such noises shall be capable of being accurately measured with such equipment. Noises capable of being so measured, for the purpose of this ordinance, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two (2) decibels. Noises incapable of being so measured, such as those of an irregular and intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

At no point either on the boundary of a residence district or a business district or at one hundred twenty-five (125) feet from the nearest property line of a plant or operation, whichever distance is greater, shall the sound pressure level of an individual operation or plant (other than the operation of motor vehicles and other transportation facilities) exceed the decibel levels at the designated octave bands shown hereafter for the districts indicated:

	<i>Maximum Permitted Sound Level in Decibels Along Boundaries or 125 Feet From Plant Or Operation Property Line</i>	
<i>Octave Band</i>	Residence	Business

Cycles Per Second	Districts	Districts
0 to 75	67	73
75 to 150	62	68
150 to 300	58	64
300 to 600	54	60
600 to 1,200	49	55
1,200 to 2,400	45	51
2,400 to 4,800	41	47
Over 4,800	37	43

Smoke and particulate matter. No stack shall emit more than ten (10) smoke units during any one (1) hour, nor shall smoke of a density in excess of Ringelmann No. 2 be emitted, provided that during a single one (1) hour period in each twenty-four (24) hour day, each stack may emit up to twenty (20) smoke units when blowing soot or cleaning fires, and during such cleaning of fires, smoke of a density of Ringelmann No. 3 may be emitted, but not for longer than four (4) minutes each period.

No emission of smoke or particulate matter shall exceed a density of Ringelmann No. 3, except for a plume consisting entirely of condensed steam. For the purposes of grading the density of emission, the Ringelmann Chart published and used by the United States Bureau of Mines shall be employed.

The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of one (1) pound per acre of lot area during any one (1) hour.

Dust and other forms of air pollution borne by air and wind from such sources as storage area, yards, roads, etc., within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, oiling, or other acceptable means. The emission of particulate matter from such sources shall conform with the requirements of the preceding paragraph.

In addition to the performance standards specified herein, the emission of smoke and particulate matter in such manner or quantity as to be detrimental to or endanger the public health, safety, comfort or welfare is hereby declared to be a public nuisance.

Odorous matter. The emission of odorous matter from any property in such concentrations as to be readily detectable at any point along the boundaries of said property or in such concentrations as to create a public nuisance or hazard beyond such boundaries is prohibited.

Vibration. Any process or equipment which produces intense earth-shaking vibration, such as are created by heavy drop forges or heavy hydraulic surges, shall be set back at least five hundred (500) feet from the property boundaries on all sides, except for a property line adjoining an M-2 district, where such setback shall not be mandatory. However, in no case shall any such vibrations be allowed to create a public nuisance or hazard beyond the property boundaries.

Toxic or noxious matter. No use on any property shall discharge across the boundaries of said property toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare, or cause injury or damage to other property or business.

Glare or heat. Any operation producing intense glare or heat shall be performed within a completely enclosed building and effectively screened in such a manner as not to create a public nuisance or hazard along property boundaries.

Fire and explosive hazards. Fire and explosive hazards shall be controlled as follows:

Activities involving the storage or manufacture of materials or products which decompose by detonation are not permitted in the M-1 districts.

The storage, utilization or manufacture of materials or products ranging from free or active burning to intensive burning, as determined by the zoning administrator, is permitted under the following conditions:

- (1) All storage, utilization or manufacture of such materials or products shall be within completely enclosed buildings or structures having incombustible exterior walls; and
- (2) All such buildings or structures shall be set back at least forty (40) feet from property boundaries, or in lieu thereof, shall be protected throughout by an automatic sprinkler system complying with standards for installation prescribed by the National Fire Protection Association.

Materials or products which produce flammable or explosive vapors or gases under ordinary weather temperatures shall not be permitted in this district, with the exception of the following, which shall be permitted:

- (1) Materials required for emergency or standby equipment;
- (2) Materials used in secondary processes which are auxiliary to a principal operation, such as paint-spraying of finished products; and
- (3) Flammable liquids and oils stored, sold and used in conjunction with the operation of an automobile service station and customarily required or used in such operations.

9.2 M-2 heavy industry district.

Condition of use. All permitted uses are subject to the following conditions:

All production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall conform with the performance standards set forth in subsection, Performance standards.

Within one hundred fifty (150) feet of a residence district, all business production, servicing, processing and storage shall take place or be within completely enclosed buildings, except that storage of materials may be open to the sky provided the storage area is enclosed with a solid wall or fence at least eight (8) feet high.

However, within such one hundred fifty (150) feet of a residence district, off-street loading facilities and off-street parking of motor vehicles under one and one-half (1½) tons capacity may be

enclosed, except for such screening of parking and loading facilities as may be required under the provisions of Section X.

Permitted uses. The following uses are permitted:

Any use permitted in the M-1 districts.

Any production, processing, cleaning, servicing, testing or repair or storage of materials, goods or products which conform to the performance standards established for this district.

Any sexually oriented entertainment business.

Any wholesale or retail business involving the viewing, sale or rental of sexually oriented materials, including but not limited to videotapes, videodiscs, motion pictures, books, magazines, posters, photographs, and sexual devices or paraphernalia.

Special uses. Any use which may be allowed as a special use in the M-1 district may be allowed as a special use in this M-2 district, including cannabis business establishments.

Amortization of pre-existing regulated use. Any nonconforming building, structure, lot or regulated use which existing lawfully at the time of the adoption of Article IX and Article X of Chapter 15 of the Municipal Code of the City of Calumet City, Cook County, Illinois, which shall become nonconforming upon the adoption of those articles may be amortized as hereinafter provided.

- a. Upon written notice from the department of inspectional services to the owners or interests therein, that any building, structure, lot or regulated use is nonconforming under the subdivision and zoning ordinance of the City of Calumet City, the owners or interests therein shall, within three (3) months from the date of such notice, apply to the department of inspectional services for a certificate of nonconformance and amortization schedule.
- b. Failure to apply for a certificate of nonconformance and amortization schedule within three (3) months of the notice provided for above will require the amortization of the nonconformance within six (6) months of the notice provided for above.
- c. Nonconformances that have obtained a certificate of nonconformance and amortization schedule from the department of inspectional services shall be discontinued within one (1) year of the notice provided for above.

Yard areas. All yard areas shall be the same as required or permitted in the M-1 limited manufacturing district.

Maximum floor area ratio. The maximum floor area ratio shall not exceed 3.0.

Performance standards. Any use established hereafter in an M-2 general manufacturing district shall be so operated as to comply with the performance standards set forth as follows:

Noise. The performance standards governing noise in the M-1 district shall apply.

Smoke and particulate matter. No stack shall emit more than twenty (20) smoke units during any one (1) hour, nor shall smoke of a density in excess of Ringelmann No. 2 be emitted provided that during fire cleaning periods each stack may emit four (4) minutes of smoke up to thirty (30) smoke units, twice for blowing soot and twice for cleaning fires, and during such cleaning for fires, smoke of a density of Ringelmann No. 3 may be emitted.

No emission of smoke or particulate matter shall exceed a density of Ringelmann No. 3, except for a plume consisting entirely of condensed steam. For the purpose of grading the density of emissions, the Ringelmann Chart published and used by the United States Bureau of Mines shall be employed.

The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of three (3) pounds per acre of lot area during any one (1) hour.

Dust and other forms of air pollution borne by the wind from such sources as storage areas, yards, roads, etc., within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, oiling, or other acceptable means. The emission of particulate matter from such sources shall conform with the requirements of the preceding paragraph.

In addition to the performance standards specified herein, the emission of smoke or particulate matter in such manner or quantity as to be detrimental to or endanger the public health, safety, comfort or welfare is hereby declared to be a public nuisance.

Odorous matter. The emission of odorous matter from any property in such concentrations as to be readily detectable at any point along the boundaries of said property when diluted in the ratio of one (1) volume of odorous air to four (4) or more volumes of clean air, or in such concentrations as to produce a public nuisance or hazard beyond the property boundaries is prohibited.

Vibration. Any process or equipment which produces intense earth-shaking vibrations, such as are created by heavy drop forges or heavy hydraulic surges, shall be set back at least five hundred (500) feet from the property boundaries on all sides. However, in no case shall such vibrations be allowed to create a public nuisance or hazard beyond the property boundaries.

Toxic or noxious matter. No use on any property shall discharge across the boundaries of said property toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or welfare, or cause injury or damage to other property or business.

Glare or heat. Any operation producing intense glare or heat shall be performed within an enclosure and effectively screened in such a manner as not to create a public nuisance or hazard along property boundaries.

Fire and explosive hazards. Fire and explosive hazards shall be controlled as follows:

Activities involving the storage or manufacture of materials or products which decompose by detonation are not permitted in the M-2 districts unless licensed by the city. However, in no case shall such materials or products be stored or manufactured within two hundred (200) feet of the boundary of any other district.

The storage, utilization and/or manufacture of materials or products ranging from incombustible to moderate burning, as determined by the zoning administrator, is permitted.

The storage, utilization or manufacture of materials or products ranging from free to active burning, to intense burning, as determined by the zoning administrator, is permitted, provided that within forty (40) feet of the boundary of a residence or business district the following restrictions shall apply:

- (1) All storage, utilization or manufacture of such materials, or products, shall be within completely enclosed buildings or structures having incombustible walls; and
- (2) All such buildings or structures shall be protected throughout by an automatic sprinkler system complying with standards for installation by the National Fire Protection Association.

Materials or products which produce flammable or explosive vapors or gasses under ordinary weather temperature shall not be permitted in this district, with the exception of the following, which are permitted:

- (1) Materials required for emergency or standby equipment;
- (2) Materials used in secondary processes which are auxiliary to a principal operation, such as paint spraying of finished products;
- (3) Flammable liquids and oils stored, sold and used in conjunction with the operation of an automobile service station and customarily required or used in such operation.

9.3 OR office research district.

(1) *Description and intent of district.* The OR district is intended to allow for a mix of office uses, research and testing facilities and restricted manufacturing, warehousing and distribution in high-quality, well designed, low- to medium-density settings.

(2) *Permitted uses.* The following uses are permitted in the OR district.

Banks and other financial institutions.

Business schools.

Display or catalog showroom.

Dry cleaning and/or laundry facilities.

Glass products production.

Laboratories, research and testing.

Linen supply.

Lithography.

Offices, business, professional, medical arts.

Paper products assembly.

Plastic products assembly.

Wholesale establishments.

Mail order houses.

Self-service storage facility.

Warehousing and distribution, excluding motor freight terminals.

Health and athletic clubs.

Precision instruments manufacturing.

Electronic component manufacturing and assembly.

Printing and publishing services.

Radio and television studios.

Research and development testing facilities.

Show rooms and sales area accessory to principal uses and within the principal structure not occupying more than ten (10) percent of the gross floor area.

Woodworking and wood products.

Commercial uses within the principal structure occupying not more than ten (10) percent of the gross floor area and limited to the following uses: Beauty/barber shop, food store florist, gift shop, photocopy shop, and letter and parcel services.

Accessory uses.

(3) *Special uses.* The following special uses may be authorized in conformance with subsection 12.7 of this ordinance.

Animal hospital and clinic.

Cannabis Craft Growers

Cannabis Cultivation Centers

Cannabis Dispensaries

Cannabis Infusers

Cannabis Processors

Cannabis Transporters

Child day care center and preschool.

Planned development.

Public utilities, facilities and services.

Restaurant, sit down only.

Park and recreation uses.

Parking lot or structure.

Institutional uses.

Accessory uses.

(4) *Lot size requirements.*

(a) The lot area of each zoning lot shall not be less than twenty-five thousand (25,000) square feet.

(b) The minimum lot width of each zoning lot shall not be less than one hundred (100) feet.

(5) *Yard requirements.* The following yards shall be maintained in the OR district:

	Building	Parking
Front	30 ft.	15 ft.
Side	20 ft.	10 ft.
Rear	30 ft.	15 ft.
Transitional	30 ft.	30 ft.

(6) *Maximum lot coverage.* The total lot area occupied by any principal buildings and accessory buildings, together with all impervious surfaces, shall not exceed seventy-five (75) percent.

(7) *Maximum floor area.* The maximum allowable floor area ratio in the OR district is .7.

(8) *Maximum building height.* No building or structure shall be erected or altered to exceed a height of forty-five (45) feet.

- (9) *District standards.*
- (a) The minimum gross land area of any office research zoning district shall be ten (10) acres.
 - (b) All on-site utility lines, but excluding high tension power lines, shall be located underground.
 - (c) All business storage, and display of goods and services shall be conducted within a completely enclosed structure, except:
 - 1. Off-street parking and loading;
 - 2. Recreational uses;
 - 3. Accessory uses;
 - 4. Uses allowed as part of a special use permit.
 - (d) All development shall meet the performance standards requirements of subsection 9.1, M-1 light industrial district.
- (10) *Related regulations and requirements.* Other pertinent regulations contained within this ordinance that shall be observed, include, but are not limited to:
- (a) Section IV [XII], subsection 12.9, State Street—State Line Road Redevelopment Area site development plan review;
 - (b) Section IV [XII], subsection 12.10, Landscape plan approval;
 - (c) Section X, Off-street parking and loading;
 - (d) Section XI, Signs.

Section 5: Section X “Off-street parking and loading” of the Zoning Ordinance of the City of Calumet City is hereby amended by eliminating the stricken language and adding the underlined language as follows:

10.1 *Purpose:* This ordinance is intended to regulate the placement and physical dimensions of off-street parking within the City of Calumet City. Hereafter no parking lot or building shall be erected or altered and no land used unless there be provide adequate off-street parking space or spaces for the needs of tenants, personnel and patrons together with means of ingress and egress.

10.2 *General provisions:*

- (a) Off-street parking for other than residential uses shall be either on the same lot or within three hundred (300) feet of the property it is intended to serve, measured along dedicated streets. Ownership or lease of all lots or parcels intended for use as parking shall be held by the applicant as long as off-street parking is required for such principal building in accordance with the terms of this section.
- (b) Off-street accessory parking permitted under paragraph (a) and not located on the same lot as the principal use, may be located in residential districts under the following conditions:
 - (1) That said lots or property be immediately adjacent to a business or industrial zoning district.
 - (2) That no vehicular access to said lot or property be permitted from any street frontage in a residential district, except that access drives will be permitted on a street which within the same block has frontage in the district in which the principal use is permitted and located.

- (3) That all off-street parking lots adjoining lots zoned for residential use shall have a minimum setback of ten (10) feet from any interior lot line, except if the adjoining lot is used for legal conforming parking purposes.
- (4) That no parking shall be permitted between the street right-of-way line and the building line prevailing in the zone in which the proposed parking area is to be located. The resulting open area shall be planted in grass or otherwise landscaped to create a permanent green area.
- (c) Residential off-street parking spaces shall consist of a parking strip, driveway, garage or combination thereof and shall be located on the premises they are intended to serve.
- (d) Two (2) or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.
- (e) In the instance of dual function of off-street parking, spaces where operating hours of buildings overlap the zoning board of appeals may grant an exception.
- (f) The storage or sale of merchandise or the repair of vehicles is prohibited.
- (g) For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the inspectional services department considers as being similar in type.
- (h) Ingress and egress: A suitable means of ingress and egress for vehicles to premises used for parking shall be provided, and shall open directly from and to a public street, alley, or highway. The width of any exit or entrance adjoining property or opposite property zoned for residential uses shall be approved prior to obtaining any permit therefore. The inspectional services department may require the owner to provide acceleration or deceleration lanes where traffic volumes indicate the need. Interval distances between the intersections formed by such ingress and egress points along a public street or between such intersections and the intersections formed by other traffic ways (including other streets, alleys, or driveways) shall be regulated in accordance with the following standards:
 - (1) Whenever possible, intersections along major arterial streets shall occur at intervals not less than twelve hundred (1,200) feet, nine hundred (900) feet, and three hundred (300) feet, respectively for Type A, B and C intersections, as defined below.
 - (2) Whenever possible, such intersections along minor arterials shall occur at intervals not less than one thousand (1,000) feet, seven hundred (700) feet, and three hundred (300) feet, respectively for Type A, B, and C intersections.

Type A intersections are defined as those intersections requiring or anticipated to require traffic controls (traffic lights or stop signs) on the public street along which the interval is measured, but not necessarily on the intersecting trafficways.

Type B intersections are defined as those intersections not requiring traffic controls, but allowing left-hand turning movements off the public street along which the interval is measured.

Type C intersections are defined as those intersections not requiring traffic controls on and not permitting left-hand turning movements off the public street along which the interval is measured. When the interval is between intersections of different types, the least restrictive interval requirement shall apply.
- (i) Fencing, wheel stops or other physical barriers shall be provided for all boundaries of the parking area except at points of ingress and egress to prevent encroachment of vehicles.
- (j) Pavement: All parking lots shall be constructed in accordance with specifications then required by the city engineer for the construction of roadways and other paved public areas.

- (k) **Lighting:** If the parking lot is to be open for use after dark, it shall be provided with lighting that meets the standards of the inspection services department. Lights shall be shielded so as not to shine directly or in an offensive manner on any residential property. Lighting fixtures and mounting locations shall be selected to uniformly disperse light in accordance with standards approved by the city engineer.
 - (l) **Screening:** When a parking lot abuts a residential zone, there shall be permanently maintained along such boundary screening as provided in the Calumet City Zoning Ordinance.
 - (m) **Plot plan to be filed:** Prior to constructing an accessory parking lot, the owner or persons in charge of the land to be used for parking shall submit a plot plan to the building inspector who will submit same to the department of community and economic development, city engineer and other agencies for their consideration and recommendations. Such plot plan shall show the boundaries of the property, location of adjacent houses, parking spaces, circulation patterns, drainage plan and construction plan for boundary walls and planting plan.
- 10.3 **Off-street parking space standards:** The amount of off-street parking spaces for new uses or buildings, additions thereto, and additions to existing buildings shall be determined in accordance with the following minimum parking provisions provided that, excepting as otherwise provided below, no parking area shall project into a required front yard and provided that no parking area shall be permitted between the curb line and the property line in any district.
- (a) **One-family dwelling:** Two (2) spaces for each family unit, plus one (1) space for every two (2) additional adult non-related persons. Parking may be provided in not more than fifty (50) percent of a required front yard and only if the parking area is clearly designated and improved as a driveway paved with concrete, bituminous concrete or other approved surface material.
 - (b) **Two-family dwellings:** One and one-half (1½) parking spaces for each family, plus one (1) space for every two (2) additional adult non-related persons. Parking may be provided in not more than fifty (50) percent of a required front yard and only if the parking area is clearly designated and improved as a driveway paved with concrete, bituminous concrete or other approved surface material.
 - (c) **Multiple family dwellings:** One and one-half (1½) parking spaces per unit, plus one (1) space for each employee.
High density multiple family dwellings: One and one-half (1½) spaces per unit.
 - (d) **Motel:** One (1) space per unit, plus one (1) space for each employee.
 - (e) **Hotel:** One (1) space for each of the first twelve (12) guest rooms and one (1) space for each four (4) rooms greater than twelve (12), but not exceeding forty (40), and one (1) parking space for each additional five (5) rooms above forty (40), plus one (1) space for each employee.
 - (f) **Apartment hotel:** One (1) space for each apartment, plus one (1) for each employee.
 - (g) **Office building:** One (1) parking space for each two hundred fifty (250) square feet of gross leasable floor area excluding any floor space used for parking.
 - (h) **Retail stores:** One (1) parking space for each one hundred eighty (180) square feet of gross floor area.
 - (i) **[Wholesale and retail businesses:]** Wholesale businesses and retail businesses specializing in goods or merchandise not normally carried by the customer, such as furniture, large appliances, vehicles and similar items.
 - (1) One (1) parking space per each five hundred (500) square feet of floor area used for the display or sale of merchandise, excluding office space, plus one (1) parking space for each employee per shift.
 - (2) For outdoor sales, one (1) parking space per two thousand five hundred (2,500) square feet of lot area, plus one (1) parking space for each employee per shift.

- (j) *Barber shops and beauty parlors*: One (1) for each chair, plus one (1) for each employee.
- (k) *Banks, dry cleaning, laundries and similar service businesses*: One (1) parking space for each two hundred fifty (250) square feet of floor area.
- (l) *Drive-in banks with inside customer service*: Five (5) for each inside teller window plus one (1) for each employee; without inside customer service, one (1) space for each employee.
- (m) *Restaurants, banquet halls and drive-in eating establishments*: One (1) parking space for each sixty (60) square feet of gross floor area, but not less than fifteen (15) spaces.
- (n) *Bowling alleys*: Four (4) parking spaces for each alley.
- (o) *Auto service station*: Four (4) spaces.
- (p) *Hospitals*: One (1) space for each four (4) beds, plus one (1) space for each staff doctor, plus one (1) space for each two (2) full-time employees on shift, including nurses.
- (q) *Professional offices, medical clinics*: One (1) parking space for each one hundred fifty (150) square feet of floor area. Provided that professional offices when used as a home occupation shall provide one (1) parking space for each one hundred (100) square feet or major fraction thereof, of office area in addition to that required for the residing family or families.
- (r) *Sanitariums, convalescent home or children's homes*: One (1) parking space for each six (6) beds, plus one (1) for each two (2) employees.
- (s) *Mortuaries or funeral homes*: One (1) parking space for each fifty (50) square feet of floor area in the slumber rooms, parlors or individual funeral service rooms.
- (t) *Elementary and junior high schools*: One (1) parking space for each employee, plus one (1) parking space for each eighty (80) square feet in the main auditorium not containing fixed seats, or one (1) space for each six (6) fixed seats in the main auditorium, whichever is greater.
- (u) *Senior high schools*: One (1) parking space for each employee, plus one (1) parking space for each five (5) students or one (1) space for each eighty (80) square feet of floor area in the main auditorium not containing fixed seats, or one (1) parking space for each six (6) fixed seats in the main auditorium, whichever is greater.
- (v) *College and business university*: One (1) parking space for each two (2) employees, plus one (1) space for each three (3) students.
- (w) *Libraries, museums or art galleries*: One (1) parking space for each six hundred (600) square feet of floor area plus one (1) for each four (4) employees.
- (x) *Contractor yards or plant storage yard*: One (1) parking space for each employee.
- (y) *Sports arenas, auditoriums, theaters, assembly halls, other than in schools*: One (1) parking space for each five (5) seats or seating spaces.
- (z) *Manufacturing plants or research laboratories*: One (1) parking space for each two (2) employees per work shift.
- (aa) *Churches*: One (1) parking space for each five (5) seats in the main auditorium.
- (bb) *Laundromats*: One (1) parking space for each two (2) washing machines.
- (cc) *Lodging houses*: One (1) parking space shall be provided for each lodging room, plus one (1) space for the owner or manager.
- (dd) *Private clubs and lodges*: One (1) parking space shall be provided for each lodging room, plus parking spaces equal in number to twenty-five (25) percent of the capacity in persons (exclusive of lodging room capacity) of such club or lodge.
- (ee) *Automobile laundry*: Thirty (30) stacking spaces shall be provided for each wash rack, plus one (1) parking space for each employee.

- (ff) *Motor vehicle sales and machinery sales:* One (1) parking space shall be provided for each six hundred (600) square feet of floor area.
- (gg) *Warehouses and storage buildings:* One (1) parking space shall be provided for each employee, plus one (1) parking space for each vehicle used in the conduct of the enterprise, and guest parking equal to one (1) space for each four thousand (4,000) square feet of floor space.
- (hh) *Government or privately owned recreation buildings or community centers:* One (1) parking space shall be provided for each two (2) employees, plus spaces adequate in number to serve the public.
- (ii) *Cannabis Dispensaries:* One (1) parking space for each sixty (60) square feet of gross floor area, but not less than fifteen (15) spaces
- (jj) *Cannabis Cultivation Centers, Craft Growers, Transporters, Processors, Infusers:* One (1) parking space shall be provided for each employee, plus one (1) parking space for each vehicle used in the conduct of the enterprise, and guest parking equal to one (1) space for each four thousand (4,000) square feet of floor space.
- (kk) *[Off-site parking:]* In parking areas not located immediately adjacent to the structure to which the spaces are accessory, the maximum number of parking spaces intended for use by semi-trailers, wheeled containers or tractor-trailer combinations at warehouses, distribution facilities and similar facilities used for the storage, loading or off-loading of goods, shall not exceed the greater of any the following:
 - (1) One (1) parking space per loading dock; or
 - (2) One (1) parking space for every twelve (12) linear feet of the two (2) longest sides of the structure to which the parking is accessory; or
 - (3) One (1) parking space for every five thousand (5,000) square feet of interior space principally used for the storage of goods.

These parking spaces shall be in addition to parking spaces that are located adjacent to the structure to which the spaces are accessory.

All parking areas intended for use by semi-trailers, wheeled containers or tractor-trailer combinations that are not located immediately adjacent to the structure to which the parking is accessory shall be located across from the two (2) longest sides of the structure. In addition, the parking spaces shall be perpendicular to the longitudinal axis of the structure and shall be arrayed in a single row. Double stacking shall be prohibited.

All parking spaces intended for use by semi-trailers, wheeled containers or tractor-trailer combinations shall be at least twelve (12) feet wide, excluding striping. In addition, such parking spaces may not be located within fifty (50) feet of a building corner.

In addition to the foregoing, there shall be one (1) parking space provided for each employee per shift suitable for use by passenger vehicles. These spaces shall be not less than one hundred eighty (180) square feet in size with a minimum width of nine (9) feet. These spaces may not be used by semi-trailers, wheeled container, tractor-trailer combinations or similar vehicles.

For the purposes of this subsection, the term "parking" shall mean the temporary outdoor stationing of an operable vehicle, semi-trailer or wheeled container (or similar item capable of lawful interstate travel without modification) that has been loaded or off-loaded within the

previous seven (7) days or that will be loaded or off-loaded within the next seven (7) days. Outdoor stationing for longer periods of time shall constitute outdoor storage. The term "parking" does not include outdoor storage.

10.4 *Additional regulations, off-street loading:*

- (a) *Location:* All required loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons' capacity shall be closer than fifty (50) feet to any property in a residence district unless completely enclosed by building walls or a uniformly painted solid fence or wall, or any combination thereof, not less than six (6) feet in height. No permitted or required loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets.
- (b) *Size:* Unless otherwise specified, a required loading berth shall be at least ten (10) feet in width by at least twenty-five (25) feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.
- (c) *Access:* Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.
- (d) *Surfacing:* All open off-street loading berths shall be improved with a compacted macadam base, not less than seven (7) inches thick, surfaced with not less than two (2) inches of asphaltic concrete or some comparable all weather dustless material.
- (e) *Repair and service:* No motor vehicles repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any residence or business districts. Space allocated to any off-street loading shall not while so allocated be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
- (f) *Schedule of loading requirements:* For the uses listed in the following table, off-street loading berths shall be provided on the basis of the gross floor of the building or portions thereof devoted to such uses in the amounts shown herein.

SCHEDULE OF LOADING REQUIREMENTS

	Use	Gross Floor Area In Square Feet	Required Number and Minimum Horizontal Dimensions of Berths
a.	Hospital, sanitariums, and other institutional uses.	10,000 to 200,000	1—(10 feet × 25 feet)
b.	Hotels, clubs and lodges, except as set forth in Item e.	For each additional 200,000 or fraction thereof	1 additional—(10 feet × 25 feet)
c.	Hotels, clubs and lodges, when containing any of the following: Retail shops, convention halls, or business or professional offices (other than	10,000 to 20,000 20,000 to 150,000 For each additional 150,000 or fraction	1—(10 ft. × 25 feet) 1—(10 feet × 50 feet) 1 additional—(10 feet ×

	accessory)	thereof	50 feet)
d.	Retail stores.	5,000 to 10,000	1—(10 feet × 25 feet)
e.	Establishments dispensing food or beverages for consumption on the premises.	10,000 to 25,000 25,000 to 40,000	2—(10 feet × 25 feet each) 2—(10 feet × 50 feet each)
f.	Motor vehicle and machinery sales.	40,000 to 100,000	3—(10 feet × 50 feet each)
g.	Wholesale establishments (but not including warehouse and storage buildings other than accessory).	For each additional 200,000 or fraction thereof	1 additional—(10 feet × 50 feet)
h.	Auditoriums, convention halls exhibition halls, sports arenas, stadiums.	10,000 to 20,000 20,000 to 100,000	1—(10 feet × 25 feet) 1—(10 feet × 50 feet)
i.	Bowling alleys.	For each additional 100,000 or fraction thereof	1 additional—(10 feet × 50 feet)
j.	Banks and offices, business, professional and governmental.	10,000 to 100,000 For each additional 100,000 or fraction thereof to 500,000 For each additional 500,000 or fraction thereof	1—(10 feet × 25 feet) 1 additional—(10 feet × 25 feet) 1 additional—(10 feet × 25 feet)
k.	Establishments engaged in production, processing, cleaning, servicing, testing, or repair of materials, goods or products.	5,000 to 10,000 10,000 to 40,000 40,000 to 100,000	1—(10 feet × 25 feet) 1—(10 feet × 50 feet) 2—(10 feet × 50 feet each)
l.	Warehouses and storage buildings.	For each additional 100,000 or fraction thereof	1 additional—(10 feet × 50 feet)

m.	Theaters	8,000 to 25,000 For each additional 50,000 or fraction thereof	1—(10 feet x 25 feet) 1 additional—(10 feet x 25 feet)
n.	Undertaking establishments and funeral parlors	8,000 to 100,000 For each additional 100,000 or fraction thereof	1—(10 feet x 25 feet) 1 additional—(10 feet x 25 feet)

Section 6: That Section 12.7 “Special uses” of Sec. XII. Administration of The Zoning Code of the City of Calumet City is hereby amended by eliminating the stricken provisions and adding the underlined provisions as follows:

12.7 Special uses.

Purpose. The development and execution of a zoning ordinance is based upon the division of the city into districts, within which districts the use of land and buildings and the bulk and location of building and structures in relation to the land are substantially uniform. It is recognized, however, that there are uses which because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case of the impact of those uses upon neighboring land and of the public need for the particular user at the particular location. Such special uses fall into two (2) categories.

- (a) Uses publicly operated or traditionally affected with a public interest;
- (b) Uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

Initiation of special uses. Any person owning or having an interest in the subject property may file an application to use such land for one (1) or more of the special uses provided for in this ordinance in the zoning district in which the land is situated.

Application for special use. An application for a special use or expansion of a special use shall be filed with the city clerk and shall be accompanied by a site development plan and landscape plan in accord with subsections 12.9 and 12.10 of this ordinance.

Hearing on application. Upon receipt of the application referred to above, the zoning board of appeals shall hold at least one (1) public hearing. At least fifteen (15) days in advance of such hearings, but not more than thirty (30) days, notice of time, place and purpose of such hearing shall be published in a newspaper of general circulation in Calumet City.

Authorization. For each application for a special use, the zoning board of appeals shall report to the city council its findings and recommendations, including the stipulations of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. The city council may grant or deny any application for a special use, provided, however, that in the event of written protest against any proposed special use, signed and acknowledged by the owners of twenty (20) percent of the frontage adjacent thereto, or across an alley, or directly opposite therefrom, such special use shall not be granted except by the favorable vote of two-thirds (2/3)of all the members of the city council.

Standards. No special use shall be recommended by the zoning board of appeals unless said zoning board of appeals shall find:

- (a) That the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare;
- (b) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- (c) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
- (d) That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;
- (e) That adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets;
- (f) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city council pursuant to the recommendations of the zoning board of appeals.

Conditions and guarantees. Prior to granting any special use, the mayor and city council shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance and operation of a special use as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein, or as may be from time to time required. In all cases in which special uses are granted, the mayor and city council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being, and will be, complied with.

Effect of denial of a special use. After a public hearing, no application for a special use which has been denied wholly or in part by the mayor and city council shall be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of substantial new evidence or proof of changed conditions found to be valid by the zoning board of appeals, the mayor and city council.

Termination of special use permit. If work on the proposed development has not begun within six (6) months from the date of the authorization order of the mayor and city council, the authorization shall become null and void and all rights thereunder shall lapse. Upon written application, filed prior to the termination of the six (6) months time limit, the mayor and the city council may authorize a single extension of the time limit for a further period of not more than one (1) year.

12.7.5 Special Use Permit for Cannabis Business Establishments.

A. Application. All cannabis business establishments within the City shall require a special use permit and shall be processed in accordance with the provisions of Section 12.7. In addition to the Application requirements contained above, a Cannabis Business Establishment must also submit the following:

- a site plan containing the total square footage, security installations, building code compliance, parking, commercial vehicle loading and unloading, signage, areas designated for sales, cultivation, infusing, etc.

B. Standards. The Zoning Board of Appeals shall consider the following factors when determining whether to grant a Special Use Permit for a Cannabis Business Establishment:

- (1) The impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
- (2) The proposed structure in which the facility will be located, including co-tenancy (if a multi-tenant building), total square footage, security installations/security plan, and building code compliance.
- (3) The hours of operation and anticipated number of customers/employees.
- (4) The anticipated parking demand and available private parking supply, including any unique demand for handicapped parking.
- (5) The anticipated traffic generation and adjacent roadway capacity.
- (6) Site design, including access points, internal site circulation, and commercial vehicle loading, unloading, and parking.
- (7) Proposed signage plan
- (8) Any other criteria the Zoning Board of Appeals determines is necessary to their decision-making.

C. Zoning Regulations.

a. Cultivation Centers

- i. A medical cannabis cultivation center may not be located within two thousand five hundred feet (2,500') of the property line of a preexisting public or private nursery school, preschool, primary or secondary school, daycare home, residential care home, or area zoned for residential use.
- ii. A cannabis cultivation center may not be located within 500 feet of any school or daycare center.
- iii. An adult-use cannabis cultivation center may not be located in any area zoned for residential use.
- iv. A cannabis cultivation center may not contain more than 210,000 square feet of canopy space for plants in the flowering stage.
- v.

- b. Dispensaries
 - i. Dispensaries may not have drive-through window service
 - ii. Dispensaries may not be located within 1500 feet of another existing dispensary.
 - iii. Dispensaries may not be located within 500 feet of any school or daycare center.
 - c. Infusers
 - i. Infuser facilities may not be located in a house, apartment, condominium, or any area zoned for residential use.
 - ii. Infusers may co-located with craft growers and/or dispensaries.
 - iii. A cannabis infuser may not be located within 500 feet of any school or daycare center.
 - d. Craft Growers
 - i. Craft grow facility may not be located in a house, apartment, condominium, or any area zoned for residential use.
 - ii. The facility may contain no more than 5,000 square feet of canopy space for plants in the flowering stage.
 - iii. The facility may not be located within 1500 feet of another craft grower or cultivation center.
 - iv. A cannabis craft grower may not be located within 500 feet of any school or daycare center.
 - v. Craft growers may co-locate with processors and/or dispensaries.
- D. Conditions. The City may require the applicant to install building enhancements such as security cameras, lighting, or other improvements or additional parking as a condition of issuing the special use permit to ensure the safety of employees and customers of the cannabis business establishment. Said improvements shall be determined based on the specific characteristics of the floor plan for a cannabis business establishment and the site on which it is located.

Section 7: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 8: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 9: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

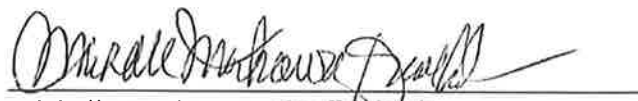
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ADOPTED by the Mayor and City Council of the City of Calumet City, Cook County,

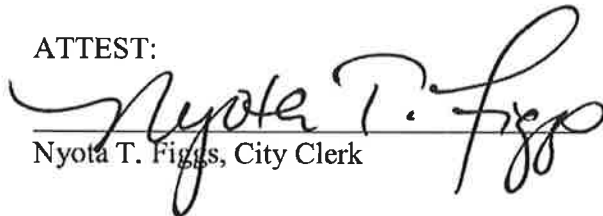
Illinois this 9th day of April, 2020 pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
GARDNER	X			
NAVARRETE	X			
PATTON	X			
SMITH	X			
SWIBES	X			
TILLMAN	X			
WILLIAMS	X			
(MAYOR QUALKINBUSH)				

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 9th day of April, 2020.


Michelle Markiewicz Qualkinbush
Mayor

ATTEST:


Nyota T. Figgs, City Clerk

THE CITY OF CALUMET CITY
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER 20-20

**AN ORDINANCE AMENDING CHAPTER 62 “OFFENSES AND
MISCELLANEOUS PROVISIONS” OF THE MUNICIPAL CODE OF THE
CITY OF CALUMET CITY TO COMPLY WITH THE CANNABIS
REGULATION AND TAX ACT**

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor
NYOTA T. FIGGS, City Clerk

DEJUAN GARDNER
MICHAEL NAVARRETE
JAMES PATTON
ANTHONY SMITH
MARY E. SWIBES
DEANDRE TILLMAN
RAMONDE WILLIAMS

Aldermen

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of Calumet City on 4-9-20
Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805**

ORDINANCE NO. 20-20

AN ORDINANCE AMENDING CHAPTER 62 “OFFENSES AND MISCELLANEOUS PROVISIONS” OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY TO COMPLY WITH THE CANNABIS REGULATION AND TAX ACT

WHEREAS, the City of Calumet City, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII 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 (the “Home Rule Powers”); and

WHEREAS, the general offenses enumerated in the City Code need to be updated to comply with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1 et. seq, which allows the adult use and possession of cannabis, subject to numerous restrictions; and

WHEREAS, the Mayor and City Council find it to be in the best interest of the City to amend Chapter 62 “Offenses and Miscellaneous provisions” to comply with the Act.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2: That Article I “In General” of Chapter 62 “Offenses and Miscellaneous Provisions” of the Municipal Code of the City of Calumet City is hereby amended by eliminating the stricken language and adding the underlined language as follows:

Sec. 62-1. - Violation; penalty.

Any person violating any of the provisions of this chapter, where no other penalty is specifically provided, shall be fined not more than five hundred dollars (\$500.00) for each offense.

Sec. 62-10. - Unlawful drugs in motor vehicle and vehicle impoundment.

- (a) The owner of record of any motor vehicle that contains unlawful cannabis as defined by the Illinois Cannabis Act (720 ILCS 550/1, et seq.) and the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1 et. seq.) or a controlled substance as defined by the Illinois Controlled Substances Act (720 ILCS 570/100, et seq.) or that is used in the purchase, attempt to purchase, sale, or attempt to sell such controlled substances or unlawful cannabis shall be subject to seizure and impoundment pursuant section 62-8.
- (b) Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility controlled by the city or its agents. When the vehicle is towed, the police officer shall notify the person who is found to be in control of the vehicle at the time of the alleged violation, if there is such a person, of the fact of the seizure and of the vehicle owner's right to request a preliminary hearing to be conducted under section 62-8 of this Code.
- (c) This subsection shall not apply: (1) if the vehicle used in the violation was stolen at the time and the theft was reported to the appropriate police authorities within twenty-four (24) hours after the theft was discovered or reasonably should have been discovered; (2) if the vehicle is operating as a common carrier and the violation occurs without the knowledge of the person in control of the vehicle; or (3) the alleged owner provides adequate proof that the vehicle had been sold to another person prior to the violation; or (4) if the owner proves that the presence of the controlled substance or cannabis was authorized under the Controlled Substances Act or the Cannabis Control Act or the Cannabis Regulation and Tax Act or the Compassionate Use of Medical Cannabis Program Act.
- (d) The provisions of section 62-8 shall apply whenever a motor vehicle in seized and impounded pursuant to this section.
- (e) For purposes of this section, the "owner of record" of a vehicle is the record titleholder.

Sec. 62-10. - Unlawful drugs in motor vehicle and vehicle impoundment.

- (a) The owner of record of any motor vehicle that contains unlawful cannabis as defined by the Illinois Cannabis Act (720 ILCS 550/1, et seq.) or the Cannabis Regulation and Tax Act (410 ILCS 705/1 et. seq.) or a controlled substance as defined by the Illinois Controlled Substances Act (720 ILCS 570/100, et seq.) or that is used in the unlawful purchase, attempt to purchase, sale, or attempt to sell such controlled substances or cannabis shall be subject to seizure and impoundment pursuant section 62-8.
- (b) Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility controlled by the city or its agents. When the vehicle is towed, the police officer shall notify the person who is found to be in control of the vehicle at the time of the alleged violation, if there is such a person, of the fact of the seizure and of the vehicle owner's right to request a preliminary hearing to be conducted under section 62-8 of this Code.
- (c) This subsection shall not apply: (1) if the vehicle used in the violation was stolen at the time and the theft was reported to the appropriate police authorities within twenty-four (24) hours after the theft was discovered or reasonably should have been discovered; (2) if the vehicle is operating as a common carrier and the violation occurs without the knowledge of the person in control of the vehicle; or (3) the alleged owner provides adequate proof that the vehicle had been sold to another person prior to the violation; or (4) if the owner proves that the presence of the controlled substance or cannabis was authorized under the Controlled Substances Act or the Cannabis Control Act or the Cannabis Regulation and Tax Act or the Compassionate Use of Medical Cannabis Program Act..

- (d) The provisions of section 62-8 shall apply whenever a motor vehicle is seized and impounded pursuant to this section.
- (e) For purposes of this section, the "owner of record" of a vehicle is the record titleholder.

Section 3: That Section 62-222 "Narcotics-related loitering" of Division 4. "Gang and Narcotics-related loitering" of Article IV "Offenses involving public safety" of Chapter 62 "Offenses and Miscellaneous Provisions" of the Municipal Code of the City of Calumet City is hereby amended by adding the underlined language as follows:

Sec. 62-222. - Narcotics-related loitering.

- (a) For the purpose of this section, and the interpretation and application thereof, the following terms, phrases, words and their derivations shall have the meanings given herein, unless the context in which they are used shall indicate otherwise. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number and words in the plural number include the singular number. Words or phrases not defined shall be given their common and ordinary meaning unless the context clearly indicates or requires a different meaning.

Narcotics-related loitering means remaining in any one (1) place under circumstances that would warrant a reasonable person to believe that the purpose or effect of that behavior is to facilitate the distribution of substances in violation of the Cannabis Control Act or the Cannabis Regulation and Tax Act or the Illinois Controlled Substances Act, as such acts are from time to time supplemented or amended.

Public place means the public way and any other location open to the public, whether publicly or privately owned.

- (b) Whenever a police officer observes one (1) or more persons engaged in narcotics-related loitering in any public place designated for the enforcement of this section under subsection (c), the police officer shall:
 - (1) Inform all such persons that they are engaged in loitering within an area in which such loitering is prohibited;
 - (2) Order all such persons to disperse and remove themselves from within sight and hearing of the place at which the order was issued; and
 - (3) Inform those persons that they will be subject to arrest if they fail to obey the order promptly or engage in further narcotics-related loitering within sight or hearing of the place at which the order was issued during the next eight (8) hours.
- (c) The police chief shall by written directive designate areas of the city in which enforcement of this section is necessary because the areas are frequently associated with narcotics-related loitering. Prior to making a determination under this subsection, the police chief shall consult, as he or she deems appropriate, with persons who are knowledgeable about the effects of narcotics-related activity in areas in which this section may be enforced. Such persons may include, but need not be limited to, members of the department of police with special training or experience related to narcotics-related activity; other personnel of that department with particular knowledge of narcotics-related activities in the proposed designated area; elected and appointed officials of the area; community-based organizations; and others identified by the department who are familiar with the

area. The police chief shall develop and implement procedures for the periodic review and update of designations made under this subsection.

- (d) Any person who fails to obey promptly an order issued under subsection (b), or who engages in further narcotics-related loitering within sight or hearing of the place at which such an order was issued during the eight-hour period following the time the order was issued, shall be guilty of a violation punishable as follows:
- (1) A fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for each offense or the performance of up to sixty (60) hours of community service for each offense, or both; or imprisonment for not more than six (6) months for each offense;
 - (2) A second or subsequent offense shall be punishable by a fine of not less than five hundred dollars (\$500.00) and not more than one thousand five hundred dollars (\$1,500.00) for each offense or a mandatory minimum performance of forty (40) hours of community service but not more than one hundred twenty (120) hours of community service for each offense, or both; or imprisonment for not more than six (6) months for each offense;
 - (3) Upon a third or subsequent conviction for a violation of this subsection or section 62-221, or any combination thereof, within any 12-month period, a court, in addition to imposing the penalties prescribed in this subsection, shall enter an order requiring the convicted person to refrain, for a mandatory period of thirty (30) days, from narcotics-related loitering as herein defined, or gang loitering as defined in section 62-221, within sight and hearing of the place of the police officer's order issued under this section or section 62-221, which served as the basis for the person's most recent conviction, unless circumstances strongly mandate that such period should be shorter. Such an order must be obeyed regardless of whether any additional warning or notice is given to the person. Any person who violates an order issued by a court under this subsection or section 62-221 shall be subject to a mandatory minimum sentence of not less than five (5) days' imprisonment but not more than six (6) months' imprisonment for each violation or a mandatory minimum performance of sixty (60) hours of community service but not more than one hundred twenty (120) hours of community service for each violation, plus a fine of not less than five hundred dollars (\$500.00) and not more than one thousand five hundred dollars (\$1,500.00), for each violation.

Section 4: That Division 1. "Generally" of Article V "Offenses involving public peace and order" of Chapter 62 "Offenses and Miscellaneous Provisions" of the Municipal Code of the City of Calumet City is hereby amended by eliminating the stricken language and adding the underlined language as follows:

Sec. 62-265. - Possession of cannabis- Definitions.

- (a) ~~Definitions. All terms and phrases used herein shall have the same meaning as ascribed to them in the Cannabis Control Act (720 ILCS 550/1, et seq.) and amendments thereto; except, should the term "person" or "persons" be limited therein to a natural person who has attained the age of seventeen (17) years or more, said limitation is specifically excluded herein, and the term "person" or "persons" is made applicable to all natural persons.~~
- (b) ~~Offense of possession of cannabis. A person commits the offense of possession of cannabis by knowingly possessing thirty (30) grams or less of any substance containing cannabis unless permitted or authorized to do so pursuant to the Cannabis Control Act (720 ILCS 550/1 et seq.).~~

- (c) ~~Penalty. Any person violating subsection 62-265(b) shall be subject to a mandatory fine of not less than two hundred fifty dollars (\$250.00) and not more than seven hundred fifty dollars (\$750.00), plus court costs. Any person violating subsection 62-265(b), as a second offense, shall be subject to a mandatory fine of not less than five hundred dollars (\$500.00) and not more than seven hundred fifty dollars (\$750.00), plus court costs. Any person violating subsection 62-265(b) as a third or subsequent offense, shall be subject to a mandatory fine of not less than seven hundred fifty dollars (\$750.00), plus court costs.~~

CANNABIS: Marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil, or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means cannabis flower, concentrate and cannabis infused products.

CANNABIS CONCENTRATE: A product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC) from the plant through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO2, ethanol, or isopropanol and with the intended use of smoking or making a cannabis-infused product. The use of any other solvent is expressly prohibited unless and until it is approved by the Department of Agriculture.

CANNABIS CONTAINER: A sealed, traceable, container, or package used for the purpose of containment of cannabis or cannabis-infused product during transportation.

CANNABIS FLOWER: marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis; including raw kief, leaves, and buds, but not resin that has been extracted from any part of such plant; nor any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin.

CANNABIS-INFUSED PRODUCT: A beverage, food, oil, ointment, tincture, topical formulation, or another product containing cannabis that is not intended to be smoked.

CANNABIS PARAPHERNALIA: equipment, products and materials which are intended to be used for planting, propagating, cultivating, growing, harvesting, manufacturing, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, or otherwise introducing cannabis into the human body.

ENCLOSED, LOCKED SPACE: A closet, room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by authorized individuals under this Act. "Enclosed, locked space" may include:

- (1) A space within a residential building that is the primary residence of the individual cultivating 5 or fewer cannabis plants that are more than 5 inches tall and includes sleeping quarters and indoor plumbing and is only accessible by a key or code that is different from any key or code that can be used to access the residential building from the exterior; or
- (2) A structure, such as a shed or greenhouse, that lies on the same plot of land as a residential building that includes sleeping quarters and indoor plumbing and is used as a primary residence by the person cultivating 5 or fewer cannabis plants that are more than 5 inches tall. The structure must remain locked when it is unoccupied by people.

MINOR: Any individual under the age of twenty-one (21) years old.

PERSON: a natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

PUBLIC PLACE: Any place where a person could reasonably be expected to be observed by others. "Public Place" includes all parts of buildings, parks, recreation areas, wildlife areas, or playgrounds owned in whole or in part, or leased, by the State or a unit of local government. Public Place does not include a private residence unless the private residence is used to provide licensed childcare, foster care, or other similar social service care on the premises.

Sec. 62.266- Possession of Cannabis- Limits.

(A) It shall be unlawful for an Illinois resident over the age of 21 to possess any amount greater than:

- (1) 30 grams of cannabis flower;
- (2) 5 grams of cannabis concentrate;
- (3) 500 milligrams of THC contained in cannabis-infused products

(B) It shall be unlawful for a non-resident over the age of 21 to possess any amount greater than:

- (1) 15 grams of cannabis flower;
- (2) 2.5 grams of cannabis concentrate;
- (3) 250 milligrams of THC contained in a cannabis infused product.

(C) The amounts listed in (A) and (B) shall be cumulative. However, it shall be unlawful for any person to knowingly obtain, seek to obtain, or possess an amount of cannabis that would cause him or her to exceed the possession limit under this Section, including cannabis that is cultivated by a person under this Act or obtained under the Compassionate Use of Medical Cannabis Program Act.

Sec. 62- 267- Possession of Cannabis and Cannabis Paraphernalia- Minors.

- (A) It shall be unlawful for a person who is under twenty-one (21) years of age to possess any amount of cannabis, unless he or she is a qualified patient under the Compassionate Use of Medical Cannabis Program Act.
- (B) It shall be unlawful for a person who is under 21 years of age to possess cannabis paraphernalia, unless he or she is a qualified patient under the Compassionate Use of Medical Cannabis Program Act.

Sec. 62-268- Unlawful Possession of Cannabis

It shall be unlawful for any person to possess cannabis in the following places:

- (1) A school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis 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 Program Act.
- (3) In any correctional facility.
- (4) In a private residence that is used at any time to provide licensed childcare, or other similar social service care on the premises.
- (5) In a motor vehicle upon a highway in this State, except in a sealed, odor-proof, child-resistant cannabis container which is reasonably inaccessible while the vehicle is moving.

Sec. 62-269- Unlawful Use of Cannabis

- (A) It shall be unlawful for any person to use cannabis in the following places:
- (1) a school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis 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 Program Act.

- (3) In any correctional facility.
 - (4) In a private residence that is used at any time to provide licensed childcare, or other similar social service care on the premises.
 - (5) In any public place.
 - (6) While he or she is knowingly in close physical proximity to anyone under twenty-one (21) years of age who is not a registered medical cannabis patient under the Compassionate Use of Medical Cannabis Program Act.
 - (7) Within the passenger area of any motor vehicle upon a highway of this State.
 - (8) On any private property, including on land owned in whole or in part or managed in whole or in part by the Village or the State, and including areas where vehicles are parked, without the express permission of the business or lawful possessor of the property.
- (B) It shall be unlawful for any law enforcement officer, corrections officer, probation officer, firefighter, school bus permit or CDL holder to use cannabis while on duty.
- (C) It shall be unlawful for any person to smoke cannabis in any place where smoking is prohibited under the Smoke Free Illinois Act.
- (D) It shall be unlawful for any person to use cannabis on private property without the consent of the lawful owner or possessor.

Sec. 62-270- Cannabis Cultivation Restrictions

- (A) It shall be unlawful for an individual to cultivate cannabis plants unless they are licensed by the State or a registered qualifying patient of the Compassionate Use of Medical Cannabis Program Act.
- (B) It shall be unlawful for a registered qualifying patient of the Compassionate Use of Medical Cannabis Program Act to cultivate cannabis plants:
- a. Outside a closed locked space.
 - b. That are not for personal use.
 - c. If the individual is under the age of twenty-one (21) years old.
 - d. In excess of five (5) plants that are more than five (5) inches tall
 - e. In a location where they are subject to ordinary public view.
 - f. On nonresidential property
 - g. Without the consent of the lawful owner of the property.

(C) It shall be unlawful for a registered qualifying patient under the Compassionate Use of Medical Cannabis Program Act to sell, transfer, or gift any home-grown cannabis as authorized under this section and the Act.

(D) A violation of this section is punishable by a fine between \$100 and \$200.

Sec. 62-271- MANUFACTURE OR DELIVERY OF CANNABIS

It shall be unlawful for any person not licensed by the State of Illinois to knowingly manufacture, deliver, or possess with the intent to deliver or manufacture, any amount of cannabis.

Sec- 62-272: Violation

A violation of sections 62-266-62-271 is punishable by a fine between \$100 and \$750.

Secs. ~~62-266~~ 62.273—62-280. - Reserved

Section 5: That Section 62-317 “Specific Restrictions on conduct and behavior” of Division 3. “Public Spaces” of Article V “Offenses involving public peace and order” of Chapter 62 “Offenses and Miscellaneous Provisions” of the Municipal Code of the City of Calumet City is hereby amended by eliminating the stricken language and adding the underlined language as follows:

Sec. 62-317. - Specific restriction on conduct and behavior.

- (a) *Advertising.* No person shall post, display, or distribute any placard, handbill, pamphlet, circular, book, notice or other writing containing commercial advertising on or within any public space except with the proper permit as specified in the Municipal Code.
- (b) *Alcoholic liquors.*
 - (1) No person under the influence of alcoholic liquor shall enter or remain on or within any public space.
 - (2) No alcoholic beverages shall be sold, delivered, given away, or consumed on or within public space.
- (c) *Animals.*
 - (1) No owner or person having control of any animal shall cause or permit such animal to be on or within any public space without being leashed, except in connection with city-sponsored activities, programs, or events where it is specifically allowed by the city. No leash shall be longer than eight (8) feet, and retractable leashes shall not be extended more than eight (8) feet. Unless specified, animals are not permitted on or within any public space.
 - (2) Any animal found on or within a public space in violation of subsection (c)(1) may be apprehended, removed to an animal shelter, public pound or other place provided for that

purpose, and dealt with pursuant to the laws or ordinances of the city, all at the expense of the owner or person responsible for such animal.

- (3) Notwithstanding the foregoing, the city may designate certain public spaces as "no animal" areas or events, respectively, in which cases no owner or person having control of any animal shall cause or permit such animal to be in such areas or present at such events.
 - (4) The owner or person having control of any animal shall remove and dispose of any excrement deposited by his animal anywhere on [or] within any public space.
 - (5) The provisions of subsections (c)(1) through (4) above, shall not apply to a blind person or a seeing-eye dog which is under the control of a blind person, or any recognized assistance animal for the disabled, or any service animals performing law enforcement duties.
 - (6) No person shall trap, catch, wound, kill, treat cruelly, or attempt to trap, catch, wound, or kill any animal, or rob any nest of any animal on or within any public space.
- (d) *Assault or bodily injury.* No person shall engage in conduct which places another person in reasonable apprehension of receiving bodily harm or physical contact of an insulting or provoking nature, nor shall any person intentionally or knowingly by any means cause bodily harm or make physical contact of an insulting or provoking nature with another person on or within any public space.
- (e) *Begging and soliciting contributions.* No person shall beg or panhandle on or within any public space. No person shall take up any collection or solicit or receive contributions of money or anything else of value on or within any public space except with the proper permit as specified in the Municipal Code.
- (f) *Camping.* No person shall place, erect, or use any hammock, swing, tent, shelter or any other type of temporary or permanent camping equipment on or within any public space, or otherwise camp in any manner on or within any public space.
- (g) *Controlled substances.* No person under the influence of cannabis or any controlled substance shall enter into, be or remain on or within any public space, nor shall any person bring into, possess, take, use, sell or transfer on or within any public space any ~~cannabis~~ or controlled substance.
- (h) *Disorderly conduct.* No person while on or within any public space shall either by word or act:
- (1) Indulge or engage in any loud, unusual, improper or boisterous noise, amplified sound or activity, including without limitation the loud playing of record players, televisions, radios, tape recorders, noisemakers, musical instruments or sound equipment;
 - (2) Indulge or engage in any threat of violence or injury to the person or property of others;
 - (3) Indulge or engage in any riot, quarrel, fight, disturbance, nuisance, breach of peace or diversion tending to a breach of peace or disturbance of the peace and quiet;
 - (4) Behave in any reckless or negligent manner so as to endanger the person or property of others;
 - (5) Collect with other persons, in bodies or crowds, for unlawful purposes, or for any purpose of annoyance, disturbance or obstruction of the lawful activities of other persons; or
 - (6) Disturb, obstruct or interfere unreasonably with the lawful activities of other persons.
- (i) *Dumping, polluting and littering.*
- (1) No person shall place, pile or otherwise dump, leave or deposit in any manner any kind of dirt, rubbish, refuse, ashes, garbage, grass clippings and other yard waste, snow, ice or other substance, whether liquid or solid, on or within any public space except as specifically permitted by the city. Any person violating this subsection may be assessed the cost to the city of removing any such improperly deposited substance or material and such charge shall be in addition to and not in lieu of any other penalties provided for herein.

- (2) No person shall litter, cast, throw, drop or otherwise deposit or leave any garbage, refuse or other material of any kind on or within any public space nor shall any person spit upon or otherwise defile any property located on or within any public space. Paper, glass, cans, garbage and other refuse resulting from the lawful use of a public space may and shall be deposited in receptacles provided by city for that purpose. Where receptacles are not so provided, are missing or are full to capacity, all such garbage, refuse or other material shall be carried away from the area of use by the person(s) responsible for the presence and properly disposed of elsewhere.
- (j) *Erection of structures.* No person shall construct, build or erect any building, tent or structure of whatever kind, whether permanent or temporary in character, or construct, run or string any public service or private utility into, upon, or across any public space.
- (k) *Fires.* No person shall light or make use of any fire on or within any public space.
- (l) *Gambling and games of chance.* No person while on or within a public space shall play or engage in selling routines or futures, games of chance or in any other device or game of chance, hazard or skill, either as bookmaker, dealer, player or otherwise, for the purpose of gaming or gambling for money or other valuable things.
- (m) *Interference with other users.* No person shall walk, act or conduct himself upon a portion of a public space in such a way as to interfere with the use of such public space by other persons who are properly using public space for the purpose for which it has been designated. No person shall engage in any activity on or within any public space in a manner calculated or likely to endanger, injure or damage persons or property in any way.

Section 6: That Article X “Prohibition of Drug Paraphernalia” of Chapter 62 “Offenses and Miscellaneous Provisions” of the Municipal Code of the City of Calumet City is hereby amended by eliminating the stricken language and adding the underlined language as follows:

Sec. 62-575. - Definitions.

For the purpose of this article, the following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates or requires a different meaning.

Cannabis shall have the meaning ascribed to it in the Cannabis Control Act, as if that definition were incorporated herein.

Controlled substance shall have the meaning ascribed to it in the Illinois Controlled Substances Act, as if that definition were incorporated herein.

Deliver or delivery shall mean the actual, constructive or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

Drug paraphernalia shall mean all equipment, products and materials of any kind, other than methamphetamine manufacturing materials as defined in the Methamphetamine Control and Community Protection Act and cannabis paraphernalia as defined in Section 1-10 of the Cannabis Regulation and Tax Act, which are peculiar to or marketed for use in intended to be used unlawfully in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body ~~cannabis or a controlled~~

substance in violation of the ~~Cannabis Control Act, 720 ILCS 550/1 et seq.,~~ or the Illinois Controlled Substances Act, 720 ILCS 570/102. The term "drug paraphernalia" includes, but is not limited to, the following:

- (a) Kits ~~peculiar to or marketed for use~~ intended to be used unlawfully in manufacturing, compounding, converting, producing, processing or preparing ~~cannabis or~~ a controlled substance;
- (b) Isomerization devices ~~peculiar to or marketed for use~~ intended to be used unlawfully in increasing the potency of any species of plant which is ~~cannabis or~~ a controlled substance;
- (c) Testing equipment ~~peculiar to or marketed for~~ intended to be used unlawfully in a private home use in identifying or in analyzing the strength, effectiveness or purity of ~~cannabis or~~ controlled substances;
- (d) Diluents and adulterants ~~peculiar to or marketed~~ intended to be used unlawfully for cutting ~~cannabis or~~ a controlled substance by private persons;
- (e) Objects ~~peculiar to or marketed for use~~ intended to be used unlawfully in ingesting, inhaling, or otherwise introducing ~~cannabis, cocaine, hashish, or hashish oil~~ or a synthetic drug product or misbranded drug in violation of the Illinois Food, Drug and Cosmetic Act into the human body including, where applicable, the following items:
 - (1) Water pipes;
 - (2) Carburetion tubes and devices;
 - (3) Smoking and carburetion masks;
 - (4) Miniature cocaine spoons and cocaine vials;
 - (5) Carburetor pipes;
 - (6) Electric pipes;
 - (7) Air-driven pipes;
 - (8) Chillums;
 - (9) Bongs;
 - (10) Ice pipes or chillers;
- (f) Any item whose purpose, as announced or described by the seller, deliverer or possessor is for use as "drug paraphernalia" in violation of this article.

Section 7: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 8: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 9: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 9th day of April, 2020 pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
GARDNER	X			
NAVARRETE	X			
PATTON	X			
SMITH	X			
SWIBES	X			
TILLMAN	X			
WILLIAMS	X			
(MAYOR QUALKINBUSH)				

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 9th day of April, 2020.


 Michelle Markiewicz Qualkinbush
 Mayor

ATTEST:

 Nyota T. Figgs, City Clerk

#4: Ordinance Adding Article XVI “Cannabis Business Establishments” to Chapter 54 “Licenses And Permits And Miscellaneous Business Regulations” Of the Municipal Code Of The City Of Calumet City.

Ordinance Adding Article XVI “Cannabis Business Establishments” to Chapter 54 “Licenses And Permits And Miscellaneous Business Regulations” Of the Municipal Code Of The City Of Calumet City.

Adopt Ordinance

Alderman Patton moved, seconded by Alderman Smith, to adopt the ordinance (item #4) as presented.

(Ord. #20-21)

(See attached page 3A)

ROLL CALL

AYES: 7
NAYS: 0
ABSENT: 0

ALDERMEN: Navarrete, Swibes, Tillman, Williams, Gardner, Patton, Smith
ALDERMEN: None
ALDERMEN: None

MOTION CARRIED

#5: Ordinance Of The City Of Calumet City, Cook County, Illinois, Changing The Regularly Scheduled Meeting To Once A Month Until June 1, 2020.

Ordinance Of The City Of Calumet City, Cook County, Illinois, Changing The Regularly Scheduled Meeting To Once A Month Until June 1, 2020.

Discussion

There was a discussion regarding the temporary change in monthly meetings.

Adopt Ordinance

Alderman Patton moved, seconded by Alderman Smith, to adopt the ordinance (item #5) as presented.

(Ord. #20- 22)

(See attached page 3B)

ROLL CALL

AYES: 6
NAYS: 1
ABSENT: 0

ALDERMEN: Navarrete, Swibes, Tillman, Gardner, Patton, Smith
ALDERMEN: Williams
ALDERMEN: None

MOTION CARRIED

FINANCIAL MATTERS

#1: Approve Bill listing (\$1,291,843.47)

Approve bill listing (\$1,291,843.47).

#2: Approve Payroll 3/20/2020 (\$817,310.12)

Approve payroll 3/20/2020 (\$817,310.12).

Approve Payroll 4/3/2020 (\$825,628.74)

Approve payroll 2/04/2020 (\$832,451.88).

Approve financial items #1 & #2

Alderman Williams moved, seconded by Alderman Patton, to approve financial items #1 & #2 as presented.

ROLL CALL

AYES: 7
NAYS: 0
ABSENT: 0

ALDERMEN: Navarrete, Swibes, Tillman, Williams, Gardner, Patton, Smith
ALDERMEN: None
ALDERMEN: None

MOTION CARRIED

THE CITY OF CALUMET CITY
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER 20-21

AN ORDINANCE ADDING ARTICLE XVI “CANNABIS BUSINESS ESTABLISHMENTS” TO CHAPTER 54 “LICENSES AND PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS” OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY

MICHELLE MARKIEWICZ QUALKINBUSH, Mayor
NYOTA T. FIGGS, City Clerk

DEJUAN GARDNER
MICHAEL NAVARRETE
JAMES PATTON
ANTHONY SMITH
MARY E. SWIBES
DEANDRE TILLMAN
RAMONDE WILLIAMS

Aldermen

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Calumet City on 4-9-20
Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

ORDINANCE NO. 20-21

AN ORDINANCE ADDING ARTICLE XVI “CANNABIS BUSINESS ESTABLISHMENTS” TO CHAPTER 54 “LICENSES AND PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS” OF THE MUNICIPAL CODE OF THE CITY OF CALUMET CITY

WHEREAS, the City of Calumet City, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII 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 (the “Home Rule Powers”); and

WHEREAS, the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1 et. seq., allows the City to enact reasonable regulations governing cannabis business establishments; and

WHEREAS, the Mayor and City Council find it to be in the best interest of the City to add Article XVI to Chapter 54 in order to license cannabis business establishments within the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2: That Chapter 54 “Licenses and Permits and Miscellaneous Business Regulations” of the Municipal Code of the City of Calumet City is hereby amended by adding the following new Article:

ARTICLE XVI: CANNABIS BUSINESS ESTABLISHMENTS

Sec. 54-2275. – Purpose and intent.

The purpose of this Article is to designate cannabis business establishments within the City in order to minimize the possible detrimental effects and ensure compliance with all

applicable codes, rules and regulations for the general safety and welfare of the citizens of the City of Calumet City. Nothing in this Article is meant to conflict with any State law.

Sec. 54-2276. – Definitions.

ACT: the Cannabis Regulation and Tax Act of Illinois and any subsequent amendments, 410 ILCS 705/1 et. seq.

ADVERTISE: to engage in promotional activities including, but not limited to, newspaper, radio, internet and electronic media, and television advertising, the distribution of fliers and circulars, billboard advertising and the display of window and interior signs. “Advertise” does not mean exterior signage displaying only the name of the licensed cannabis business establishment.

AGENT IN CHARGE: as required by the Act, a full-time agent or principal officer of the cannabis business that is responsible for opening and closing the business, delivery acceptance, oversight of sales and agents, recordkeeping, inventory, training, and compliance with State and local law.

APPLICANT: An individual or business seeking a Cannabis Business License from the City or a renewal of said License.

CANNABIS: Marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, “cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil, or cake, or the sterilized seed of the plant that is incapable of germination. “Cannabis” does not include industrial hemp as defined and authorized under the Industrial Hemp Act. “Cannabis” also means cannabis flower, concentrate and cannabis infused products.

CANNABIS BUSINESS: A cannabis craft grower, cultivation center, dispensary, infuser, processor, or transporter.

CANNABIS BUSINESS LICENSE: An authorization licensing the cannabis business to operate within the City.

CANNABIS CONCENTRATE: A product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC), from the plant through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO2, ethanol, or isopropanol and with the intended

use of smoking or making a cannabis-infused product. The use of any other solvent is expressly prohibited unless and until it is approved by the Department of Agriculture.

CANNABIS CONTAINER: A sealed, traceable, container, or package used for the purpose of containment of cannabis or cannabis-infused product during transportation.

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, per the Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

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 establishments, per the Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS DISPENSARY: A facility operated by an 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, per the Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS FLOWER: marijuana, hashish, and other substances that are identified as including any parts of the plant *Cannabis sativa* and including derivatives or subspecies, such as indica, of all strains of cannabis; including raw kief, leaves, and buds, but not resin that has been extracted from any part of such plant; nor any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin.

CANNABIS-INFUSED PRODUCT: A beverage, food, oil, ointment, tincture, topical formulation, or another product

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, per the Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS PARAPHERNALIA: equipment, products and materials which are intended to be used for planting, propagating, cultivating, growing, harvesting, manufacturing, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting or otherwise introducing cannabis into the human body.

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, per the Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: An organization or business that is licensed by the Illinois 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, per the Act, as it may be amended from time-to-time, and regulations promulgated thereunder.

CLONE: a plant section from a female cannabis plant not yet rootbound, growing in a water solution or other propagation matrix, that is capable of developing into a new plant.

LIMITED ACCESS AREA: a building, room, or other area under the control of a cannabis dispensing organization licensed under the Act and upon the licensed premises with access limited to purchasers, dispensing organization owners and other dispensing organization agents, or service professionals conducting business with the dispensing organization.

MINOR: Any individual under the age of twenty-one (21) years old.

ORDINARY PUBLIC VIEW: within the sight line with normal visual range of a person, unassisted by visual aids, from a public street or sidewalk adjacent to real property, or from within an adjacent property.

PERSON: a natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

TINCTURE: a cannabis infused solution, typically comprised of alcohol glycerin, or vegetable oils, derived either directly from the cannabis plant or from a processed cannabis extract. A tincture is not an alcoholic liquor as defined in the Liquor Control Act of 1934. A tincture shall include a calibrated dropper or other similar device capable of accurately measuring servings.

Sec. 54-2277. – Business License Required.

It shall be unlawful for any person to operate a cannabis business within the City without first obtaining a business license.

Sec. 54-2278. – Application.

Each cannabis business shall complete a written application, provided by the City Clerk, which must contain the following:

(1) **Applicant Information:**

If the applicant is an Individual: the name, date of birth, home address, telephone number, email address, and a copy of a valid state identification of the person registering the business and anyone with a financial interest in the cannabis business.

If the applicant is a Partnership/Noncorporate Entity: the name, date of birth, home address, telephone number, email address, and a copy of a valid state identification for each partner, principal, member thereof, and anyone with a financial interest in the cannabis business.

If the applicant is a Corporation: the name, date of birth, home address, telephone number, email address, and a copy of a valid state identification of each principal officer, registered agent thereof, and anyone with a financial interest in the cannabis business, a copy of the Corporation or LLC's certificate of good standing issued by the Illinois Secretary of State.

- (2) The legal name of the cannabis business and any other names it may operate under.
- (3) The physical location, telephone number, and internet address of the cannabis business.
- (4) A copy of all documents submitted to the Illinois Department of Financial and Professional Regulation or the Illinois Department of Agriculture for issuance of a state license.
- (5) A copy of the cannabis business's state issued license and a statement as to whether the cannabis business is a qualified social equity applicant by the State of Illinois.
- (6) A copy of the special use permit issued by the City Council.
- (7) A copy of the site plan as submitted to the Plan Commission.
- (8) The hours of operation for the cannabis business.
- (9) The name, address, date of birth, and copy of State issued Agent Identification for the designated agent in charge and all other dispensing agents.
- (10) The property owner's name, address, telephone number and email address and a valid copy of the lease agreement if applicable.
- (11) Proof of adequate insurance coverage for liability, worker's compensation, tenant or owner's insurance for the premises and equipment.
- (12) A copy of the cannabis business's security plan that describes the cannabis business's

plans to: (i) prevent diversion, theft, or loss of cannabis and monetary funds (ii) monitor the activities in and around the cannabis business and (iii) restrict access to limited access areas and restricted access areas. The Chief of Police shall have the right to review the security plan.

(13) Nonrefundable application fee of \$500.

Sec. 54-2279. – Investigation.

Once the City Clerk has determined that the business license application is complete, he or she shall forward the application to the Department of Inspectional Services and the Chief of Police for investigation.

- (a) The Department of Inspectional Services shall cause an inspection of the premises for compliance with all applicable laws, including the building, electrical, plumbing, health, housing, zoning and fire codes of the City, and any other regulations of the City relating to the public health, safety and welfare.
- (b) The Chief of Police shall cause an investigation into the applicant’s personal and criminal history and review the security plan.

Sec. 54-2280. – Fees.

(a) The business license fee for a cannabis business establishment shall be as follows:

- (1) Dispensaries: \$5000
- (2) Cultivation Centers: \$5000
- (3) Craft Growers \$3000
- (4) Transporters: \$2500
- (5) Infusers/Processors: \$2000

(b) The City anticipates that it will incur additional expenses and impacts upon the City’s road systems, utility services, public safety services, educational system, inspectional services, and permitting services. In order to minimize the burdens on the City, Applicants for business licenses may be required to execute a Cannabis Business Impact Agreement, including the payment of yearly impact fees to the City.

Sec. 54-2281.- Issuance of a cannabis business license.

The application materials, inspectional reports, background information and any other relevant information shall be forwarded to the Mayor, or his or her designee, who shall issue a business license if the cannabis business complies with all applicable provisions of this Chapter. If the Mayor denies the cannabis business license, he or she must notify the applicant in writing within 14 days.

Sec. 54-2282.- Revocation or Suspension of a cannabis business license.

The Mayor may deny, refuse to renew, suspend or revoke a cannabis business license for any of the following reasons:

- (1) Fraud, misrepresentation of material fact, or false statement on the application for a cannabis business license or any subsequent renewal.
- (2) Failure to inform the City of any changes to the information contained in the application for a cannabis business license.
- (3) Any outstanding debt owed to the City by the cannabis business establishment or any of its owners, partners, officers, or board members, including any taxes, fees, or penalties.
- (4) Any violation of the laws of the State of Illinois or any City Ordinance.
- (5) Revocation or suspension of the cannabis business's State issued license.
- (6) Any violation of the terms of the cannabis business's special use permit.
- (7) Operating without a cannabis business license.
- (8) A pattern of conduct that demonstrates incompetence or that the cannabis business has engaged in conduct or actions that would constitute grounds for discipline under the Adult-Use Cannabis Regulation and Taxation Act.
- (9) Refusing to allow the Mayor, his or her designee, or any member of law enforcement or building department to enter and inspect the cannabis business, or refusing to cooperate in an investigation.
- (10) Any fact or condition that, if had existed at the time of the original completion of the application for a cannabis business license would have warranted the denial of the business license.

Sec. 54-2283.- Notice and hearing; Appeal.

- (a) Prior to taking any adverse action against a cannabis business license, and at least fourteen days prior to hearing, the Mayor shall issue by regular and electronic mail to the addresses listed on the application for a cannabis business license, a written notice of hearing. The written notice shall contain the charges made, date, time, and location of the hearing.
- (b) The Mayor has the authority to subpoena and administer oaths to witnesses, hear the charges, agree to negotiated consent orders, and issue a written order within 14 days.
- (c) Any cannabis business that is denied a cannabis business license or whose cannabis business license was declined to be renewed, suspended, or revoked has the right to appeal to the City Board.

Sec. 54-2284.- General Regulations.

- (a) **Compliance with Law.** All cannabis businesses must comply with all State and local laws, including the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et. seq., building, electrical, plumbing, health, housing, zoning and fire codes.
- (b) **Report to Police.** Every cannabis business must promptly, within twenty-four (24) hours, document and report any loss, theft, security breach, or criminal activity to City police.
- (c) **Inspections.** It shall be unlawful for a cannabis business to refuse entry or otherwise refuse inspection by the Mayor, his or her designee, any member of law enforcement or building services.
- (d) **Employee Identification.** It shall be unlawful for an employee of a cannabis business to engage in employment activities for the cannabis business unless he or she displays a valid agent identification card, as required by State law. A copy of all agent identification cards shall be forwarded to the City Clerk and updated as the card is renewed, suspended, revoked, or the employee is terminated.
- (e) **Sanitary Conditions.** It shall be unlawful for a cannabis business to maintain any building or equipment in an unclean or unsanitary state. All buildings and equipment shall be free from infestation by insects, rodents, or pests.
- (f) **Deliveries.** It shall be unlawful for a cannabis business to accept cannabis deliveries through public or limited access areas. All deliveries must be accepted into a restricted access area with adequate security.
- (g) **Odor Control.** Sufficient measures and means of preventing smoke, odors, debris, dust, fluids, and other substances from exiting a cannabis business establishment must be provided at all times.
- (h) **Lighting.** No portion of the exterior of the cannabis business shall utilize or contain any flashing lights, search lights or spot lights or any similar lighting system.
- (i) **Minors Prohibited.** It shall be unlawful for a cannabis business to allow any person under the age of twenty-one (21) years old to enter or loiter about any cannabis business. Cannabis dispensaries authorized to sell medical cannabis may allow qualified patients pursuant to the Compassionate Use of Medical Cannabis Program Act over the age of eighteen (18) years old with proper identification to enter the cannabis dispensary.
- (j) **On-Site Consumption.** The on-site consumption of cannabis is prohibited within a cannabis business and on the adjacent premises. The business shall be responsible for enforcing the prohibition of on-site consumption of cannabis under all circumstances inside and outside the business and adjacent premises.

Sec. 54-2285.- Hours of Operation.

- (a) It shall be unlawful for a cannabis business to open earlier than 6:00 am.
- (b) It shall be unlawful for a cannabis business to close later than 10:00 p.m. No cannabis business shall allow any person other than himself or employees to remain in the premises

where cannabis is offered for sale longer than thirty (30) minutes after the closing hour.

(c) Hours of operation shall apply to all sales, delivery, and dispensing activities of the business.

Sec. 54-2286.- Cannabis Dispensaries.

- (a) **Inoperable Equipment.** It shall be unlawful for a cannabis dispensary to operate if its security system, point of sale system, or inventory system are inoperable.
- (b) **Sale to Minors Prohibited.** It shall be unlawful for any cannabis dispensary to give, sell, or deliver to any minor, directly or indirectly, any cannabis. Cannabis businesses authorized to sell medical cannabis may allow qualified patients pursuant to the Compassionate Use of Medical Cannabis Program Act over the age of eighteen (18) years old to purchase medical cannabis.
- (c) **Minimum Employees.** It shall be unlawful for a cannabis dispensary to operate if less than two licensed employees are present.
- (d) **Prohibited Dispensing.** It shall be unlawful for a cannabis dispensary to dispense cannabis through vending machines, drive through windows, or delivery services.
- (e) **Visibility of Products.** It shall be unlawful for any retail cannabis, cannabis products, or cannabis paraphernalia to be displayed or kept so as to be visible outside the cannabis dispensary by ordinary public view.
- (f) **Storage.** During hours of operation, all cannabis shall be stored in an enclosed locked room or cabinet accessible only to authorized business agents. When the business is closed, all cannabis and currency shall be stored in a reinforced vault room in the restricted access area in a manner as to prevent diversion, theft or loss.
- (g) **Packaging.** Any product containing cannabis shall be pre-packaged in a sealed, odor-proof, and child-resistant cannabis container consistent with all regulations contained in the Act.
- (h) **Prohibited Products.** It shall be unlawful for any cannabis business to sell:
 - (1) Cannabis seeds, except to those individuals showing valid identification as a qualifying patient under the Compassionate Use of Medical Cannabis Program Act.
 - (2) Clones or other live plant material.
 - (3) Any products containing alcohol, with the exception of tinctures as allowed by State law.
 - (4) Cannabis, cannabis concentrate, or cannabis infused products in combination or bundled with each other or any other items for one price.

Sec. 54-2287.- Cannabis transporters.

- (a) A cannabis transporting organization agent must keep his or her identification card visible at

- all times when on the property of a cannabis business establishment and during the transportation of cannabis when acting under his or her duties as a cannabis transporting organization agent and must provide the identification card upon request to any law enforcement officer engaged in his or her official duties.
- (b) It shall be unlawful for any person or individual who is not a licensed cannabis transporting organization agent to be present in a commercial vehicle or trailer engaged in the transportation of cannabis for a cannabis transporter.
 - (c) It shall be unlawful for anyone under the age of twenty one (21) years old to be present in a commercial vehicle or trailer engaged in the transportation of cannabis as a cannabis transporter.
 - (d) It shall be unlawful for a cannabis transporter or cannabis transporting organization agent to transport cannabis anywhere other than to a cultivation center, craft grower, infuser organization, dispensing organization, testing facility, or otherwise authorized by law.
 - (e) It shall be unlawful for an adult use cannabis transporter or cannabis transporting organization agent to use a commercial motor vehicle with a weight rating over 10,001 pounds.
 - (f) It shall be unlawful for an adult use cannabis transporter or cannabis transporting organization agent to operate as a cannabis transporter without a copy of the registration and manifest for the cannabis delivery in the vehicle.
 - (g) It shall be unlawful for an adult use cannabis transporter or cannabis transporting organization agent to transport cannabis so it is visible or recognizable from outside the vehicle.
 - (h) It shall be unlawful for a vehicle transporting cannabis to bear any markings to indicate the vehicle contains cannabis or bear the name or logo of the cannabis business establishment.
 - (i) It shall be unlawful for an adult use cannabis transporter or cannabis transporting organization agent to transport cannabis unless it is stored in an enclosed, locked, storage compartment that is secured or affixed to the vehicle.

Sec. 54-2288.- Advertising and signage.

- (a) It shall be unlawful for a cannabis business or any other person or entity to engage in advertising that is false or misleading, promotes overconsumption of cannabis or cannabis products, depicts the actual consumption of cannabis or cannabis products, depicts a person under 21 years of age consuming cannabis, makes any health, medicinal, or therapeutic claims about cannabis or cannabis infused products, includes the image of a cannabis leaf or bud, includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children or any other likeness to images, characters, or phrases that is designed in any manner to be appealing to or encourage consumption by persons under 21 years of age.
- (b) It shall be unlawful for a cannabis business or any other person or entity to place or maintain an advertisement of cannabis or a cannabis infused product in any form or through any medium:

- (1) Within 1000 feet of the perimeter of school grounds, a playground, a recreation center or facility, a child care center, a public park or public library, or a game arcade.
 - (2) On or in a public transit vehicle or public transit shelter.
 - (3) On or in publicly owned or publicly operated property.
- (c) Electronic message board and temporary signs are not permitted in connection with cannabis businesses.
- (d) All signage must comply with the Act.

Section 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.


Section 5: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

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ADOPTED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois this 9th day of April, 2020 pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
GARDNER	X			
NAVARRETE	X			
PATTON	X			
SMITH	X			
SWIBES	X			
TILLMAN	X			
WILLIAMS	X			
(MAYOR QUALKINBUSH)				

APPROVED by the Mayor of the City of Calumet City, Cook County, Illinois on this 9th day of April, 2020.


 Michelle Markiewicz Qualkinbush
 Mayor

ATTEST:

 Nyota T. Figgs, City Clerk

**THE CITY OF CALUMET CITY
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 20-22**

**AN ORDINANCE
AMENDING CHAPTER 2, ARTICLE III, SECTION 2-62 OF THE
MUNICIPAL CODE OF CALUMET CITY, COOK COUNTY, ILLINOIS
(REGULAR MEETINGS)**

**MICHELLE MARKIEWICZ QUALKINBUSH, Mayor
NYOTA T. FIGGS, City Clerk**

**DEJUAN GARDNER
MICHAEL NAVARRETE
JAMES PATTON
ANTHONY SMITH
MARY E. SWIBES
DEANDRE TILLMAN
RAMONDE WILLIAMS**

Aldermen

**Published in pamphlet form by authority of the Mayor and City Council of the City of Calumet City on 4/9/2020
City Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805**

ORDINANCE NO. 20-22

**AMENDING CHAPTER 2, ARTICLE III, SECTION 2-62 OF THE
MUNICIPAL CODE OF CALUMET CITY, COOK COUNTY, ILLINOIS
(REGULAR MEETINGS)**

WHEREAS, the City of Calumet City, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII 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 including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and (the “Home Rule Powers”); and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides for the declaration of a state of emergency and the grant of extraordinary power and authority to the Mayor by the corporate authorities to exercise, by executive order, during a state of emergency, such of the powers of the City Council as may be reasonably necessary to respond to the emergency; and

WHEREAS, the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, further provides for emergency local disaster declaration by the principal executive officer or his or her interim emergency successor; and

WHEREAS, on March 9, 2020, Governor JB Pritzker issued a Gubernatorial Disaster Proclamation for the entire State of Illinois as a result of the COVID-19 Pandemic and has issued subsequent executive orders implementing required Social Distancing measures, including a mandatory “stay-at-home” order (Executive Order 2020-10), the effective period of which has since been extended (*see* Executive Order 2020-18); and

WHEREAS, on March 16, 2020, Governor JB Pritzker issued Executive Order 2020-07 in response to the COVID-19 Pandemic;

WHEREAS, Executive Order 2020-07 suspends the in-person attendance requirement for members of the public body and allows for remote participation, and, if a meeting is necessary, the Executive Order provides that public bodies are encouraged to provide video, audio, and/or telephonic access to maintain openness and transparency to members of the public, and the City will make every effort to operate necessary meetings that must be held in that capacity; and

WHEREAS, on March 20, 2020, Governor JB Pritzker issued Executive Order 2020-10 in response to the significant and growing outbreak of COVID-19, which bans public gatherings of ten (10) persons and generally mandates that individuals “stay at home or at the place of residence” except as allowed by the Executive Order; and

WHEREAS, Executive Order 2020-18 extends the effective period for both Executive Order 2020-07 and 2020-10 through April 30, 2020; and

WHEREAS, on April 6, 2020, in light of the further developments related to the COVID-19 Pandemic, the City Council further amended and approved the emergency powers of the Mayor pursuant to Ordinance No. 20-18 entitled *An Ordinance Pertaining to Local Disaster and State of Emergency*; and

WHEREAS, on April 6, 2020, the Mayor executed and issued a Statement of Standards and Declaration of Local State of Emergency, pursuant to Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6), Section 11 of the Illinois Emergency Management Agency Act (20 ILCS 3305/11), and Chapter 22, Article VI of the Municipal Code for the City of Calumet City; and

WHEREAS, on April 6, 2020, the City Council passed Resolution No. 20-12 approving the existence and renewal of a local disaster and state of emergency due to the COVID-19 Pandemic; and

WHEREAS, certain modifications to Regular City Council meetings can be made to comply with the Governor's Executive Orders, to promote the safety and well-being of City residents, staff, and elected officials, while also ensuring that important business of the City is still completed; and

WHEREAS, to protect the public and the members of the City Council, City staff, and its agents, as a result of the above, in order to protect against the spread of COVID-19 among the population and to deter contamination of the school meeting location, modifications to the meeting format of public meetings must occur.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, as follows:

SECTION 1: The foregoing recitals and legislative findings are found to be true and correct and shall be and are hereby incorporated herein and made part hereof as findings of fact as if said recitals were fully set forth in their entirety.

SECTION 2: Chapter 2 (Administration), Article III (City Council), Division 1 (Generally), Section 2-62 (Regular Meetings) of the Municipal Code of Calumet City, Cook County, Illinois is hereby amended by eliminating the stricken language and adding the underlined language as follows:

Sec. 2-62. – Regular meetings

(a) The city council shall meet every second and fourth Thursday of the month. When this Thursday is a holiday, the meeting shall be held on the Wednesday preceding, unless otherwise provided for by motion. The place of meeting shall be in the council chambers in the municipal building. The time of the meetings shall be 8:00 p.m., except in the case of an emergency.

(b) For Regular Meetings scheduled during the months of April and May, 2020, during the COVID-19 Pandemic, the City Council shall meet only on the 2nd Thursday of the Month and there shall be no Regular Meeting held on the fourth Thursday of the month. The meeting held under this sub-section shall take place remotely, via electronic and/or teleconference, and shall be held at 3:30 P.M. Nothing in this section shall prevent the City Council or Mayor from calling a Special or Emergency Meeting.

SECTION 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

SECTION 4: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its adoption, approval and publication as provided by law.

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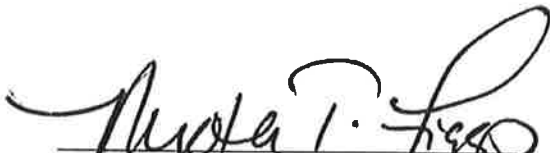
ADOPTED this 9th day of April 2020, pursuant to a roll call as follows:

	YES	NO	ABSENT	PRESENT
GARDNER	X			
NAVARRETE	X			
PATTON	X			
SMITH	X			
SWIBES	X			
TILLMAN	X			
WILLIAMS		X		
(MAYOR QUALKINBUSH)				

APPROVED by the Mayor on April 9, 2020.


Michelle Markiewicz Qualkinbush
MAYOR

ATTEST:


Nyota T. Figgs, CITY CLERK

UNFINISHED BUSINESS

Shelter In Place

Alderman Gardner encouraged residents to follow the Governor’s orders to “shelter in place” and remain safe.

Newsletter Being Mailed

Mayor Michelle stated that a newsletter regarding COVID-19 would be mailed out to residents.

ADJOURNMENT

Adjournment was at 4:19 p.m., on a motion by Alderman Williams, seconded by Alderman Swibes.


Nyota T. Figg, City Clerk

MOTION CARRIED

/dys