

SUBSTITUTE **ORDINANCE**

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

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

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

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

WHEREAS, within the communities in and around the Pullman, Roseland, Riverdale, and East Side Community Areas, minors make up nearly a quarter of all residents, and within the Hegewisch Community Area, minors make up over 35% of all residents; and

WHEREAS, in order to protect the health and safety of our residents, particularly our minors, the City Council desires to prohibit the sale of such unregulated cannabinoid hemp products in and around the Pullman, Roseland, Riverdale, Hegewisch, and East Side neighborhoods; now, therefore:

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

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

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

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

(a) As used in this section:

(Omitted text is unaffected by this ordinance)

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

"Lake Calumet Residential Area" means that portion of the City bounded as follows: Beginning at the intersection of Lowe Avenue and 91st Street, thence south on Lowe Avenue to 98th

Place, thence east on 98th Place to Parnell Avenue, thence south on Parnell Avenue to 99th Street, thence west on 99th Street to Lowe Avenue, thence south on Lowe Avenue to 103rd Street, thence east on 103rd Street to Wentworth Avenue, thence south on Wentworth Avenue to 108th Place, thence west on 108th Place to Princeton Avenue, thence south on Princeton Avenue to 119th Street, thence west on 119th Street to Stewart Avenue, thence south on Stewart Avenue to 123rd Street, thence west on 123rd Street to the City limit line, thence following the City limit line and continuing along the shoreline of Lake Michigan to 83rd Street as extended to Lake Michigan, thence west along 83rd Street as extended to Houston Avenue, thence south on Houston Avenue to 83rd Place, thence west on 83rd Place to Commercial Avenue, thence south on Commercial Avenue to Baltimore Avenue, thence northwest on Baltimore Avenue to 84th Street, thence west on 84th Street to Muskegon Avenue, thence south on Muskegon Avenue to 85th Street, thence west on 85th Street to the alley west of Muskegon Avenue, thence south on such alley to the alley north of 87th Street, thence east on such alley to Muskegon Avenue, thence south on Muskegon Avenue to 87th Street, thence west on 87th Street to Muskegon Avenue, thence south on Muskegon Avenue to 91st Street, thence east on 91st Street to Exchange Avenue, thence south on Exchange Avenue and continuing southwest on Exchange Avenue to Escanaba Avenue, thence south on Escanaba Avenue to 95th Street, thence west on 95th Street to the Chicago, Rock Island, and Pacific Railroad, thence continuing south along the such railroad to 100th Street, thence west on 100th Street to Torrence Avenue, thence south on Torrence Avenue to 104th Street, thence west on 104th Street to the alley west of Calhoun Avenue, thence south on such alley to 105th Street, thence west on 105th Street to Oglesby Avenue, thence south on Oglesby Avenue to 107th Street as extended, thence west along 107th Street as extended to the Chicago and Western Indiana Railroad, thence northwest along such railroad to 103rd Street, thence west on 103rd Street to Cottage Grove Avenue, thence north on Cottage Grove Avenue to I-94, thence west on I-94 to Doctor Martin Luther King Drive, thence north on Doctor Martin Luther King Drive to 95th Street, thence west on 95th Street to State Street, thence north on State Street to the Chicago, Rock Island, and Pacific Railroad, thence west along the railroad immediately north of 91st Street to Wallace Street, thence south on Wallace Street to 91st Street, thence west on 91st Street to Lowe Avenue.

(Omitted text is unaffected by this ordinance)

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

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

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

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