

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: January 2, 2020 (COW)(B of T) January 9, 2020

TITLE: An Ordinance Amending Title IX., Chapter 98, Section 98.117 Of The Lombard Village Code In Regard To The Municipal Cannabis Retailers' Occupation Tax

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Subsequent to the Village's approval of the Municipal Cannabis Retailers' Occupation Tax (Section 98.117 of the Village Code) on October 3, 2019, it was determined that the State Legislature approved a Trailer Bill relative to the Cannabis Regulation and Tax Act, which revised the section number of the Illinois Compiled Statutes section that authorizes the tax, and changed the name of the Act relative to medical cannabis. As both the Act relative to medical cannabis, and the section number for the section of the Illinois Compiled Statutes that authorizes the tax, are referenced in Section 98.117 of the Village Code, Section 98.117 of the Village Code will need to be revised. In that regard, please find attached an Ordinance which implements the necessary revisions to Section 98.117 of the Village Code.

Please place this item for consideration on the January 9, 2020 Board of Trustees Agenda.

Staff is requesting a waiver of first reading.

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	_____	Date	_____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE IX., CHAPTER 98, SECTION 98.117
OF THE LOMBARD VILLAGE CODE IN REGARD TO THE
MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX**

WHEREAS, the Village has, pursuant to Section 98.117 of the Village Code, enacted a Municipal Cannabis Retailers' Occupation Tax; and

WHEREAS, on December 4, 2019, pursuant to Public Act 101-593, the section number for the section of the Illinois Compiled Statutes that authorizes the Municipal Cannabis Retailers' Occupation Tax was revised; and

WHEREAS, as Section 98.117 of the Village Code makes reference to the section of the Illinois Compiled Statutes that authorizes the Municipal Cannabis Retailers' Occupation Tax, the reference therein to said authorizing section needs to be revised; and

WHEREAS, on August 9, 2019, pursuant to said Public Action 101-363, the word "Pilot" was deleted from the title of the "Illinois Compassionate Use of Medical Cannabis Pilot Program Act"; and

WHEREAS, as Section 98.117 of the Village Code makes reference to the "Illinois Compassionate Use of Medical Cannabis Pilot Program Act", the reference therein to said Act needs to be revised;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: Incorporation. That the recitals set forth above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: That Title IX., Chapter 98, Section 98.117 of the Lombard Village Code is amended as follows:

- A. The reference to the "Illinois Compassionate Use of Medical Cannabis Pilot Program Act", as contained in subsection A thereof, is revised to read, Illinois Compassionate Use of Medical Cannabis Program Act";
- B. The references to "Section 8-11-22," as contained in subsections B and C thereof, are amended to read, "Section 8-11-23"; and
- C. The references to "65 ILCS 5/8-11-22," as contained in subsections B and C thereof, are amended to read, "65 ILCS 5/8-11-23."

SECTION 3: That if any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4: That the Village's Finance Director, or his designee, is hereby authorized and directed to file a certified copy of this Ordinance with the Illinois Department of Revenue, on or before April 1, 2020.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this ____ day of _____, 2020.

First reading waived by action of the Board of Trustees this ____ day of _____, 2020.

Passed on second reading this ____ day of _____, 2020, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2020.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2020.

Sharon Kuderna, Village Clerk