

ORDINANCE NO. F- 1740

AN ORDINANCE AMENDING WHEATON ZONING ORDINANCE, ARTICLE 21, MEDICAL MARIJUANA

WHEREAS, the City of Wheaton, Illinois (“City”) is an Illinois home-rule municipality pursuant to provisions of Article VII, Section 6, of the Illinois Constitution, and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has the authority to adopt ordinances pertaining to the public health, safety and welfare regulating private and public property; and

WHEREAS, on August 2013, the State of Illinois enacted the Compassionate Use of Medical Cannabis Pilot Program Act (Act); and

WHEREAS, the Act, becomes effective on January 1, 2014; and

WHEREAS, cultivation centers and dispensing organizations are permitted to locate within any municipality, subject to the limitations imposed by the Act; and

WHEREAS, municipalities may impose more stringent zoning regulations pertaining to the allowable locations of such facilities, provided the local ordinance does not prohibit these facilities outright; and.

WHEREAS the City has determined it to be in the best interests of the public health, safety, morals, comfort, convenience and general welfare of the citizens of the City to amend the Wheaton Zoning Ordinance to further refine where said cultivation centers and dispensing organizations may be located; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on November 12, 2013 to consider the text amendment request; and the Planning and Zoning Board has recommended that the request shall be granted and approved.

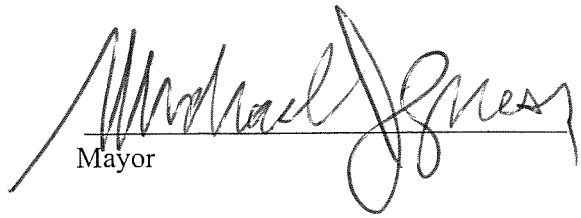
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton Zoning Ordinance text is hereby amended by adding the following subsection 9 to Article 21.1:

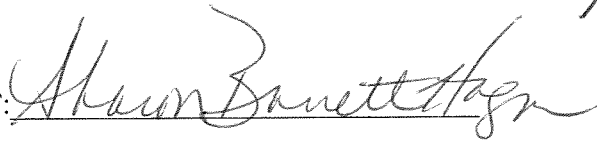
“9. Cultivation Centers and Dispensing Organizations, as defined and regulated by the State of Illinois Compassionate Use of Medical Cannabis Pilot Program Act.”

Section 2: Where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, the conflicting provisions of such ordinances are hereby repealed to the extent of such inconsistency.

Section 3: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST: 

Roll Call Vote

Ayes: Councilman Rutledge
Councilman Saline
Mayor Gresk
Councilwoman Pacino Sanguinetti
Councilman Scalzo
Councilman Suess
Councilman Prendiville

Nays: None

Absent: None

Motion Carried Unanimously

Passed: December 2, 2013
Published: December 3, 2013