

VILLAGE OF LA GRANGE  
Administrative Department

**BOARD REPORT**

TO: Village President, Village Clerk, and Village Board of Trustees

FROM: Andrianna Peterson, Village Manager  
Mark Burkland, Village Attorney

DATE: September 23, 2019

RE: **CANNABIS REGULATION AND TAX ACT**

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In June, 2019, Governor Pritzker signed the Cannabis Regulation and Tax Act (the “Act”) which legalizes the sale, possession and use of cannabis for recreational purposes in limited quantities by persons 21 years and older, beginning January 1, 2020.

Under the Act, municipalities have the ability to prohibit, allow, or significantly limit the location of recreational (adult-use) cannabis businesses. Cannabis business types include dispensaries, cultivation centers, craft growers, processors and transportation organization. If a municipality chooses to permit recreational cannabis dispensaries within its borders, then it may designate the zoning districts within which cannabis businesses may be allowed, and enact reasonable zoning regulations such as standards for off-street parking, signage, separation from residential uses and schools, hours of operation, and other provisions.

In contrast, the Compassionate Use of Medical Cannabis Pilot Program Act, which became effective in January 2014, limited the authority of municipalities to regulate medical cannabis cultivation centers and dispensaries (a municipality could not unreasonably prohibit the facilities). In 2014, medical cannabis facilities were added to the Village’s Zoning Code as a special use in the I-1 Light Industrial District, with the condition that a dispensary not be permitted next to a residential property. To date, no medical cannabis businesses have opted to locate in La Grange.

At the July 8, 2019 Village Board Meeting, Village Attorney Mark Burkland provided a general overview of the Cannabis Regulation and Tax Act, the Coalition for a Drug-Free Lyons Township provided a presentation on the topic, and the Village Board adopted a Resolution advising the public that recreational cannabis businesses are currently prohibited and that the Village would be studying the matter further.

Prior to the September 23 Village Board Meeting, information regarding the Cannabis Regulation and Tax Act was posted to the Village’s website which included a list of Frequently Asked Questions. The public has been invited to attend the September 23 meeting and provide comments or to submit comments via e mail. No action is anticipated to occur at the September 23 meeting.

Based on the Resolution passed by the Village Board, the Village is required to take action in the

near future, either by moving forward with its decision-making process, or by determining to prohibit recreational cannabis businesses.

If the consensus of the Village Board is to allow recreational cannabis in some form, then it would be appropriate for the Village Board to provide direction to staff regarding discussion points for the Plan Commission to consider at an upcoming meeting.

If the consensus of the Village Board is to prohibit recreational cannabis businesses, then it would be appropriate for the Village Board to direct staff to prepare an ordinance that would implement the Board's decision in the Code of Ordinances and Zoning Code for the Board's consideration at a future meeting.

Village Attorney Mark Burkland is prepared to present information regarding the provisions of the Act and potential options for the Village Board's consideration at the September 23 meeting.

The Village Attorney and staff are also available to answer any questions that the Village Board may have.