

ORDINANCE NO. O-14-002

**AN ORDINANCE AMENDING ARTICLE VI, CHAPTER 17
OF THE CITY OF WOOD DALE MUNICIPAL CODE
FOR PURPOSES OF PROVIDING FOR MEDICAL MARIJUANA USES**

WHEREAS, the City of Wood Dale is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City of Wood Dale is authorized and empowered, under the Municipal Code and the Code of Ordinances of the City of Wood Dale, to regulate properties located within the municipal boundaries of the City; and

WHEREAS, in furtherance of this authorization, the City of Wood Dale has adopted a the Unified Development Ordinance, which sets forth provisions regarding zoning and zoning standards for uses within the City; and

WHEREAS, the Illinois Legislature adopted Public Act 098-0122, the “Compassionate Use of Medical Cannabis Pilot Program Act” (the “Act”), which went into effect on January 1, 2014, and by which the Legislature has approved the possession and use of medical marijuana; and

WHEREAS, in furtherance of its purposes, the Act also provides for 22 cultivation centers and 60 dispensing facilities throughout the State of Illinois; and

WHEREAS, as result of the enactment of the Act, the City Staff undertook an analysis of the zoning regulations in the City to determine the appropriate allowance for establishment of a cultivation center and/or dispensary should one be sought to be located in the City; and

WHEREAS, because the City Code does not currently allow for such uses, the City Staff determined that the City must apply for a Text Amendment to Article VI, Chapter 17, Sections 17.503.P and 17.503.C; and

WHEREAS, notice of the requested Text Amendment to the Unified Development Ordinance was published in the Daily Herald, a newspaper of general circulation in the City of Wood Dale in accordance with the requirements set forth in the Unified Development Ordinance; and

WHEREAS, on January 20, 2014, the Community Development Commission held a public hearing on the proposed Text Amendment, and based on the facts set forth at hearing, voted to recommended the adoption of the proposed Text Amendment to the Unified Development Ordinance, as applied for; and

WHEREAS, the proposed Text Amendment, as recommended for approval by the Community Development Commission has been considered by the Planning, Zoning and Building Committee of the City Council of the City of Wood Dale, which has also recommended approval of the Text Amendment; and

WHEREAS, the City Council of the City of Wood Dale has reviewed the matter herein and has determined that the same is in the best interests of the City of Wood Dale.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That Article VI, Chapter 17, Section 17.503.P, Miscellaneous Uses Section of the Table of Permitted Uses, is hereby amended to include Medical Marijuana Cultivation Centers and Medical Marijuana Dispensaries as special uses in the I-2 District.

SECTION THREE: The Article VI, Chapter 17, Section 17.103.C is hereby amended to include the following definitions:

“Medical Marijuana Cultivation Center” shall mean a facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

“Medical Marijuana Dispensary” shall mean a facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purposes of dispensing cannabis, paraphernalia, or related supplies and education materials to registered qualifying patients.

SECTION FOUR: That the City Clerk of the City of Wood Dale be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this 20 day of February, 2014

AYES: Aldermen Jakab, Lazzara, Susmarski, E. Wesley, and Woods

NAYS: None

ABSENT: Aldermen Catalano, R. Wesley, and Winger

APPROVED this 20 day of February, 2014

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Shirley J. Siebert
Shirley J. Siebert, City Clerk

Published in pamphlet form February 20th, 2014.

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