ORDINANCE NO. ________

AN ORDINANCE AMENDING TITLE 3 OF THE CITY OF CREST HILL CODE OF ORDINANCES ADOPTING A MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX

WHEREAS, the Corporate Authorities of the City of Crest Hill have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the State of Illinois adopted the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et seq ("Act"), which legalizes the possession, use, cultivation, transportation, and sale of recreational cannabis beginning January 1, 2020; and

WHEREAS, as part of the Act, the State passed the Illinois Municipal Cannabis Retailers' Occupation Tax Law, 65 ILCS 5/8-11-23 et seq., which grants authority to the City to adopt up to a three percent tax on the gross receipts from all sales of cannabis in the City except for the sales of cannabis pursuant to the Compassionate Use of Medical Cannabis Program Act; and

WHEREAS, the Municipal Cannabis Retailers' Occupation Tax is both equitable to the taxpayers and beneficial to the City as it provides new revenue, including from non-residents of the City, to offset new expenditures arising from the legalization of recreational cannabis and to otherwise improve the City; and

WHEREAS, the Corporate Authorities have determined that a Municipal Cannabis Retailers' Occupation Tax be imposed on all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Program Act, at retail in the municipality at the rate of 3% on the gross receipts from these sales made in the course of that business; and

WHEREAS, the Corporate Authorities previously passed Ordinance 2032 adopting a Municipal Cannabis Retailers' Occupation Tax; and

WHEREAS, the Department of Revenue has received and accepted Ordinance 2032 but has requested certain amendments to the Crest Hill Municipal Cannabis Retailers' Occupation Tax Ordinance; and

WHEREAS, the Corporate Authorities have determined that it is in the best interest of the City and the public to amend the City of Crest Hill City Code of Ordinances ("City Code") which adopted Municipal Cannabis Retailers' Occupation Tax as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1: The City Council hereby finds that all the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2: Amendment to Title 3. Title 3 of the City Code, titled "Revenue and Finance," shall be and is hereby amended to add a new Chapter 3.22, as follows:

Chapter 3.22: MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX

Section

§3.22.010 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning;

CANNABIS. Cannabis, for purposes of this Chapter, shall have the meaning contained in 410 ILCS 705/1-10, which definition is incorporated herein by reference.

CANNABIS RETAILER. All persons or businesses engaged in selling cannabis at retail.

§3.22.020 TAX IMPOSED.

Pursuant to Section 8-11-23 of the Illinois Municipal Code, 65 ILCS 5/8-11-23, a tax is hereby imposed upon all cannabis retailers that sell cannabis in the City at the rate of three percent (3.0%) of the gross receipts from sales made in the course of business other than those sales made under the *Compassionate Use of Medical Cannabis Program Act*. Such tax shall be in addition to any and all other surcharges or taxes which may be legally imposed by the City or any other taxing authority, including federal, state, county, and regional public bodies.

§3.22.030 COLLECTION.

Persons subject to any tax imposed under the authority granted in Section 8-11-23 of the Illinois Municipal Code may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.

§3.22.040 ADMINISTRATION BY ILLINOIS DEPARTMENT OF REVENUE.

The tax imposed under Section 8-11-23 and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Department of Revenue. The Department of Revenue shall have full power to administer and enforce Section 8-11-23; to collect all taxes and penalties due under Section 8-11-23; to dispose of taxes and penalties so collected as provided in Section 8-11-23; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty under Section 8-11-23.

SECTION 3: The 3% tax imposed by this Ordinance shall be effective January 1, 2026.

SECTION 4: In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 5: That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 6: That the City Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 7: 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.

SECTION 8: The City Clerk is hereby directed to file a certified copy of this Ordinance with the Illinois Department of Revenue.

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PASSED THIS 3RD DAY OF NOVEMBER, 2025.

	Aye	Nay	Absent	Abstain
Alderman Scott Dyke	________	________	________	________
Alderman Angelo Deserio	________	________	________	________
Alderwoman Claudia Gazal	________	________	________	________
Alderman Darrell Jefferson	________	________	________	________
Alderperson Tina Oberlin	________	________	________	________
Alderman Mark Cipiti	________	________	________	________
Alderman Nate Albert	________	________	________	________
Alderman Joe Kubal	________	________	________	________
Mayor Raymond R. Soliman	________	________	________	________

____
Christine Vershay-Hall, City Clerk

APPROVED THIS 3RD DAY OF NOVEMBER, 2025.

____
Raymond R. Soliman, Mayor

ATTEST:

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Christine Vershay-Hall, City Clerk