

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 3 OF THE
CITY OF CREST HILL CODE OF ORDINANCES TO ADOPT 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 to registered qualifying patients pursuant to the Compassionate Use of Medical Cannabis Program Act ("Municipal Cannabis Tax"); and

WHEREAS, the Municipal Cannabis 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 Tax should be assessed against all retail sales of cannabis to persons over the age of 21 for recreational purposes; and

WHEREAS, the Corporate Authorities have determined that it is in the best interest of the City and the public to amend to amend the City of Crest Hill City Code of Ordinances ("City Code") to adopt a Municipal Cannabis Tax in the matter 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	Definition
3.22.020	Tax Imposed
3.22.030	Collection

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. Marijuana, hashish, and other substances that are identified as including any parts of the plant cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, “cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. “Cannabis” does not include industrial hemp as defined and authorized under the Industrial Hemp Act. “Cannabis” also means concentrate and cannabis-infused products.

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.

Any cannabis retailer within the City subject to the municipal cannabis retailers' tax imposed by this Chapter shall have the duty to collect such tax and remit it to the Illinois Department of Revenue. Any remittance by a cannabis retailer required by this Chapter shall be done in accordance with the rules and forms promulgated by the Illinois Department of Revenue. Any tax required to be collected pursuant to or as authorized by this Chapter shall constitute a debt owed by the retailer to the State of Illinois.

SECTION 3: This Ordinance shall be in full force and effect on the first day of January after its passage, approval, and publication in the manner provided by law.

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.

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PASSED THIS 15TH DAY OF SEPTEMBER, 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 15TH DAY OF SEPTEMBER, 2025.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk