

CHAPTER 138: DRUG OFFENSES

Section

§138.01 Possession of Cannabis

§138.02 Possession of Drug Paraphernalia

§138.03 Public Use of Cannabis

§138.04 Penalty

§138.01 POSSESSION OF CANNABIS.

- (A) It shall be unlawful for anyone under 21 years of age to knowingly possess any amount of Cannabis, or any substance containing or identified as including any part of the plant Cannabis sativa, except where authorized by the Compassionate Use of Medical Cannabis Pilot Program Act.
- (B) Except if otherwise authorized by the Cannabis Regulation and Tax Act, it shall be unlawful for anyone 21 years of age or older and a resident of the State of Illinois to knowingly possess more than:
 - (1) 30 grams of cannabis flower;
 - (2) 500 milligrams of THC contained in a cannabis-infused product; and
 - (3) 5 grams of cannabis concentrate;

The possession limits above are to be considered cumulative.

- (C) Except if otherwise authorized by the Cannabis Regulation and Tax Act, it shall be unlawful for anyone 21 years of age or older and not a resident of the State of Illinois to knowingly possess more than:
 - (1) 15 grams of cannabis flower;
 - (2) 250 milligrams of THC contained in a cannabis-infused product;
 - (3) 2.5 grams of cannabis concentrate; and

The possession limits above are to be considered cumulative.

§138.02 POSSESSION OF DRUG PARAPHERNALIA.

- (A) For the purposes of this Section, drug paraphernalia shall be defined as any equipment, product, or material used in the preparation, measurement, packaging, or introduction of Cannabis, intoxicating compounds, or other controlled substances into the human body. Controlled substances are defined as any substance described in the Illinois Controlled Substances Act, specifically 720 ILCS 570/102.
- (B) Except if otherwise authorized by the Cannabis Regulation and Tax Act, it shall be unlawful to knowingly possess any item of drug paraphernalia with the intent to use it to prepare, measure, ingest, smoke, inject, inhale, or otherwise introduce Cannabis, intoxicating compounds, or other unauthorized controlled substances into the human body.
- (C) All drug paraphernalia unlawfully possessed is subject to forfeiture.

§138.03 PUBLIC USE OF CANNABIS.

It shall be unlawful for any person to use cannabis in or about any public place or places. As used in this section, “public place” means any place where a person could reasonably be expected to be observed by others. “Public place” shall include all parts of buildings owned in whole or part, or leased, by the Village.

§138.04 PENALTY.

Whoever violates any provisions of this Chapter shall be fined not less than \$50.00 nor more than \$750.00 for each offense and shall be responsible for the Village’s cost of prosecution, including but not limited to attorney fees, court costs and other costs and expense incurred by the Village thereto.

(Ord. 03-5, passed 1/20/03; Amd. Ord. 19-19 passed 10/24/19, 15-02 passed 3/16/15)