

RESOLUTION NO. 19 - _____

**A RESOLUTION
INITIATING THE SUBMISSION OF A PUBLIC REFERENDA QUESTION ON
WHETHER THE CITY OF NAPERVILLE SHOULD ALLOW THE SALE OF
RECREATIONAL ADULT USE CANNABIS WITHIN ITS JURISDICTION**

RECITALS

1. **WHEREAS**, on June 25, 2019, Illinois Gov. J.B. Pritzker signed into law the Cannabis Regulation and Tax Act (CRTA) legalizing and regulating the production, consumption, and sale of adult use cannabis in Illinois, effective January 1, 2020, and;
2. **WHEREAS**, The CRTA preserves local zoning authority and directly authorizes municipalities to prohibit or significantly limit the location of adult use cannabis business establishments by ordinance.
3. **WHEREAS**, at the September 3, 2019 City Council meeting, the corporate authorities of the City of Naperville passed an ordinance prohibiting local adult use cannabis business establishments from locating within the City of Naperville's jurisdiction, and;
4. **WHEREAS**, the City of Naperville, DuPage and Will Counties, of the State of Illinois is a duly constituted home rule public agency of the State of Illinois, and;
5. **WHEREAS**, the corporate authorities of the City of Naperville have directed that a referendum on whether the City of Naperville should allow the sale of recreational adult use cannabis within its jurisdiction be placed on the March 17, 2020 general primary election ballot; and
6. **WHEREAS**, pursuant to section 10 ILCS 5/28-1, *et seq* of the Illinois Election Code, the City Council may place a referendum item on a ballot; and

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, COUNTIES OF DUPAGE AND WILL, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The foregoing recitals are incorporated as though fully set forth in this Section 1.

SECTION 2: That, at the General Primary Election, to be held on March 17, 2020, the following proposition shall be submitted to the voters of the City of Naperville:

Shall the City of Naperville, in light of state legislation legalizing the possession, consumption, and sale of recreational adult use cannabis, allow the sale of recreational adult use cannabis within its jurisdiction?	YES	
	NO	

SECTION 3: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

SECTION 4: This Resolution shall be printed and published in pamphlet form by order of the City Council of the City of Naperville.

SECTION 5: The City Clerk of the City of Naperville is hereby authorized and directed to take all necessary actions to cause this Referendum to appear on the ballot for the General Primary Election, to be held on March 17, 2020.

PASSED this _____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this ___ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk