

[EXHIBIT A]

Chapter 38 - DuPage County Cannabis Prohibition Ordinance

ARTICLE I.

Section 38-100. Recitals and title.

Recitals and title. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance. This section of the County Code shall be referred to, cited, and known as the DuPage County Cannabis Prohibition Ordinance.

ARTICLE 2. Cannabis Business Establishments Prohibited.

Section 38-200. Definitions

Definitions. The following words and phrases shall, for the purposes of this Chapter have the meanings respectively ascribed to them by this section, as follows:

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT: A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

ADULT-USE CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS DISPENSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the

purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

PERSON: Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

Section 38-201. Cannabis Business Establishments Prohibited.

The following Adult-Use Cannabis Business Establishments are prohibited in the unincorporated portions of the County of DuPage. No person shall locate, operate, own, suffer, or allow to be operated or aide, abet or assist in the operation within the County of DuPage of any of the following:

1. Adult-Use Cannabis Craft Grower
2. Adult-Use Cannabis Cultivation Center

3. Adult-Use Cannabis Dispensing Organization
4. Adult-Use Cannabis Infuser Organization
5. Infuser Adult-Use Cannabis Processing Organization Processor
6. Adult-Use Cannabis Transporting Organization or Transporter
7. Cannabis "Lounge", "Club" or a similar facility, either open to the public or a private club, where cannabis may be smoked, or cannabis infused materials may be used.

Cannabis Business Establishments do not include Medical Cannabis Cultivation Centers or Medical Cannabis Dispensing Organizations as set forth in Chapter 37-426 of the DuPage County Code.

ARTICLE 3. Cannabis Business Establishments As A Public Nuisance

Section 38-300. Public Nuisance Declared

Operation of any prohibited Cannabis Business Establishment or cannabis lounge within the County in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies. Prosecution of any violation under this section shall not be deemed to preclude prosecution of a violation of this Ordinance as an ordinance violation, in addition to filing actions to abate the violation as a public nuisance.

ARTICLE 4. Violations; Penalties

Section 38-400. Violations; Penalties

Any Person who violates any provision of this Ordinance or fails to comply with any of the requirements of this Ordinance, shall be guilty of an offense punishable by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000). Each day that the violation continues unabated shall be deemed a separate offense under this Ordinance. Violations of this Chapter may be enforced by the County's legal counsel instituting the appropriate proceeding at law, in equity, or via administrative proceedings, to restrain, correct, or abate such violations, or to enforce any provision of this Ordinance, or any order issued pursuant thereto, to require the removal or termination of the unlawful use, and to seek the assessment of a fine and court costs as authorized by this Ordinance. The imposition of penalties herein described shall not preclude the County's legal counsel from instituting appropriate action to prevent unlawful uses governed by this Chapter.

ARTICLE 5. Miscellaneous Provisions; Effective Date

Section 38-500. Severability

If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

Section 38-501. Effective Date

This Ordinance shall be in full force and effect from the date of its passage and after its passage and approval and publication as required by law.