ORDINANCE NO. 1767

ORDINANCE AMENDING CHAPTER 119 OF THE FULTON CODE OF ORDINANCE FOR THE REGULATION OF RECREATIONAL CANNABIS AND CANNABIS BUSINESS ESTABLISHMENTS

WHEREAS, the Illinois legislature has adopted the Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et. seq. (the "Act"), which legalizes the cultivation, sale, purchase, use and consumption of cannabis for recreational purposes; and

WHEREAS, Section 55-25 of the Act authorized a unit of local government to, among other things, adopt rules regulating the time, place, manner and number of cannabis business establishment operations, and to regulate the on-premises consumption of cannabis at or in a cannabis business establishment, all as more specifically set forth in the Act; and

WHEREAS, the City of Fulton (the "City") is a unit of local government as such term is used in the Act; and

WHEREAS, the Mayor and City Council of the City of Fulton (collectively, the "Corporate Authorities"), have discussed the needs of the City with respect to the regulation of recreational cannabis and cannabis business establishments within the City limit; and

WHEREAS, the Corporate Authorities deem it in the best interests of the City to amend the Fulton Municipal Code (the "City Code") to provide for the regulation of recreational cannabis and cannabis business establishments within the city.

NOW, THEREFORE, be it Ordained by the Mayor and City Council of the City of Fulton, as follows:

SECTION ONE: Chapter 119 of the City Code is amended as follows:

A. Section 119.050 of the City Code captioned "Hours of Operation" is deleted in its entirety and replaced with the following text:

"119.050: Hours of Operation

1. Dispensing organization hours of operation; on-premises consumption prohibited

   a. Cannabis may be sold, delivered, transferred, or distributed on about any premises holding a dispensing organization license only between the hours of 7:00 a.m. and 10:00 p.m. on Monday through Saturday of each week.

   b. Notwithstanding the foregoing, cannabis may be sold, delivered, transferred, or distributed on or about any premises holding a dispensing organization license between the hours of 7:00 a.m. and 10:00 p.m. on Sunday, but only after payment

of an additional $2,500.00 for an extended hours business registration fee. The extended hours business registration fee shall be in addition to the annual cannabis business establishment fee and shall be payable in conjunction with the issuance or renewal of said registration fees.

c. All persons are prohibited from smoking, inhaling or consuming cannabis in any manner at any retail tobacco store (as defined in Section 10 of the Smoke Free Illinois Act) or any cannabis business establishment, including dispensing organizations.

2. Nothing in this Chapter shall prohibit cannabis business establishments, their agents, employees or independent contractors hired by the cannabis business establishment to render services to the cannabis business establishment from being upon or within the cannabis business establishment's premises for the purpose of cleaning, redecorating or repairing the cannabis business establishment's premises during hours when otherwise prohibited, but no sale, delivery, transfer, distribution, giving away or consumption of any cannabis shall occur upon the cannabis business establishment's premises during prohibited hours."

SECTION 2: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 3: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED by the Mayor and City Council of the City of Fulton, Whiteside County, Illinois, on the 22nd day of Sept, 2025, and deposited and filed in the office of the City Clerk in said City on that date pursuant to roll call vote as follows:

Elected Alderman: 8

Ayes; 8

Nays: 0

Absent: 0

Tori Wade

City Clerk of the City of Fulton, Illinois

APPROVED BY THE Mayor of the City of Fulton, this 22nd day of Sept 2025

Shane Malone, Mayor of the City of Fulton, Illinois

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