

**VILLAGE OF VERNON HILLS  
ORDINANCE 2024-056**

**AN ORDINANCE AMENDING SECTION 14-1 OF THE VILLAGE CODE OF THE  
VILLAGE OF VERNON HILLS, ILLINOIS REGARDING THE ILLEGAL  
POSSESSION OF CANNABIS**

**WHEREAS**, the Village of Vernon Hills is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution; and

**WHEREAS**, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-2-1 *et seq.*, the Village has the authority to impose penalties for ordinance violations, and make all rules and regulations proper or necessary to carry into effect such powers; and

**WHEREAS**, Section 14-1 of The Village Code of the Village of Vernon Hills, Illinois, (“Village Code”), outlines the illegal possession of cannabis within the Village, and the penalties for such possession; and

**WHEREAS**, the Village President and Board of Trustees desire to amend Section 14-1 of the Village Code, consistent with the Village’s home rule authority, and in compliance with State law; and

**WHEREAS**, the Village President and Board of Trustees have determined that it will serve and be in the best interests of the Village and its residents to amend the Village Code pursuant to this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION ONE. RECITALS.** The foregoing recitals are incorporated into, and made a part of, this Ordinance as findings of the Village President and Board of Trustees.

**SECTION TWO. CODE AMENDMENTS.** Section 14-1, titled “Possession of Cannabis,” of Chapter 14, titled “Offenses and Miscellaneous Provisions,” of the Village Code shall hereby be deleted in its entirety and replaced with the following text, to read as follows:

“Sec. 14-1. Possession of Cannabis.

(A) For purposes of this section, the term “cannabis” shall include marijuana, hashish, and other substances which are identified as including any part of the plant Cannabis Sativa, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis. However, this term shall not include the

mature stalks of such plant; fiber produced from such stalks; oil or cake made from the seeds of such plant; any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom); fiber, oil cake; or the sterilized seed of such plant which is incapable of germination.

(B) It shall be unlawful for any person to knowingly possess cannabis within the limits of the Village in violation of the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.). This Section shall not be construed as conflicting with or limiting enforcement of the Illinois Cannabis Control Act, (720 ILCS 550/1 et seq.,) as amended from time to time.

1. No minor under twenty-one (21) years of age shall purchase, attempt to purchase, or possess cannabis in any of its forms and in any amount, unless that minor has a medical marijuana patient card.
2. No driver may use cannabis within the passenger area of any motor vehicle upon a highway in Village.
3. No driver may possess cannabis within any area of any motor vehicle upon a highway in the Village except in a secured, sealed or resealable, odor-proof, child-resistant cannabis container that is inaccessible.
4. No passenger may possess cannabis within any passenger area of any motor vehicle upon a highway in the Village except in a secured, sealed or resealable, odor-proof, child-resistant cannabis container that is inaccessible.

(C) Any person who violates this Section by possessing not more than the amounts of cannabis products authorized by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) may be issued a notice of violation to appear at an administrative hearing for the Village, or a citation to appear in the 19<sup>th</sup> Judicial Circuit Court.

(D) Persons possessing more than more than the amounts of cannabis products authorized by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and who are cited for violations of Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) or the Illinois Cannabis Control Act, (720 ILCS 550/1 et seq.), will have such citations adjudicated in the 19<sup>th</sup> Judicial Circuit Court, as criminal offenses under said Acts.

(E) With regard to all citations written under this Section, the observations of a Village police officer regarding the sight or smell of a substance, or the use of a field-testing process, such as the Rapid Modified Duquenois-Levine test, or another established screening test for the presence of cannabis in a particular substance, shall provide prima facie evidence that the substance in possession of the individual contains the presence of cannabis.

(F) Any person found liable under this Section shall be fined not less than \$150 for each violation, and, if heard before the Village's hearing officer and in the hearing officer's discretion, may be referred to a suitable drug education, counseling or rehabilitation program, or ordered to perform community service.

(G) It shall be unlawful for the owner, lessor, lessee, agent or other responsible person of any real property within the Village to knowingly cause, host, permit or condone thereon the possession of, or use of, cannabis on said real property, as prohibited by this Section and/or the statutes of the state.

(H) This section shall not be applicable to any individual who legally possesses any substance containing cannabis, as a medical cannabis cardholder, cultivator or dispenser, as defined by the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et seq.) or Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.)."

**SECTION THREE. SEVERABILITY.** If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

**SECTION FOUR. PUBLICATION.** The Village Clerk is hereby directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois.

**SECTION FIVE. EFFECTIVE DATE.** This Ordinance will be in full force and effect after its passage, approval, and publication in the manner provided by law.

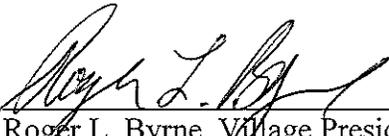
Dated this 16<sup>th</sup> day of April, 2024

Adopted by roll call vote as follows:

AYES: 6 – Marquardt, Oppenheim, Forster Schenk, Koch, Byrne

NAYS: 0 - None

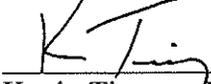
ABSENT AND NOT VOTING: 1 – Takaoka

  
\_\_\_\_\_  
Roger L. Byrne, Village President

PASSED: 04/16/2024

APPROVED: 04/16/2024

ATTEST: 04/16/2024

  
\_\_\_\_\_  
Kevin Timony, Village Clerk



VILLAGE OF VERNON HILLS

ORDINANCE NO. 2024-056

AN ORDINANCE AMENDING SECTION 14-1 OF THE VILLAGE CODE OF THE  
VILLAGE OF VERNON HILLS, ILLINOIS REGARDING THE ILLEGAL POSSESSION OF  
CANNABIS

THE 16<sup>th</sup> DAY OF APRIL 2024

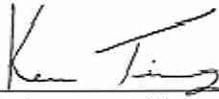
Published in pamphlet form by the Authority of the  
President and Board of Trustees of the Village of  
Vernon Hills, Lake County, Illinois, this  
16<sup>th</sup> day of April, 2024



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS        )  
  )  
COUNTY OF LAKE         )

I, KEVIN TIMONY, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2024-056 AN ORDINANCE AMENDING SECTION 14-1 OF THE VILLAGE CODE OF THE VILLAGE OF VERNON HILLS, ILLINOIS REGARDING THE ILLEGAL POSSESSION OF CANNABIS TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM APRIL 16, 2024 TO APRIL 26, 2024.

  
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Kevin Timony, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 16<sup>th</sup> DAY OF APRIL 2024

  
\_\_\_\_\_  
Notary Public

