

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 19-09-08-51

**AN ORDINANCE AMENDING TITLE 10; CHAPTER 9 OF THE MUNICIPAL CODE
OF LE ROY, ILLINOIS, 2006**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS

16th Day of September, 2019

PRESENTED: **September 16, 2019**

PASSED: **September 16, 2019**

APPROVED: **September 16, 2019**

RECORDED: **September 16, 2019**

PUBLISHED: **September 16, 2019**

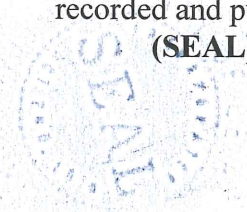
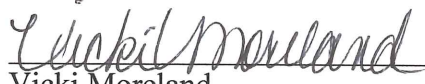
In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

Dated: **September 16, 2019**

ORDINANCE NO. 19-09-08-51

AN ORDINANCE AMENDING TITLE 10; CHAPTER 9 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006

WHEREAS, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois municipal corporation, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people; and

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act (410 ILCS 705/1 *et seq.*, “the Act”), which pertains to the possession, use, cultivation, transportation, and dispensing of adult-use cannabis, which became effective June 25, 2019; and

WHEREAS, pursuant to the Act, the Mayor and City Council may enact reasonable zoning ordinances or resolutions not in conflict with the Act, regulating cannabis business establishments, including rules adopted governing the time, place, manner, and number of cannabis business establishments, and minimum distance limitations between cannabis business establishments and locations the City deems sensitive; and

WHEREAS, on August 19, 2019, the Mayor and City Council initiated an amendment to Title 10 of the LeRoy Municipal Code to review and consider additional amendments to further regulate adult-use cannabis facilities within the City of LeRoy; and

WHEREAS, the Zoning Board of Appeals conducted public hearings, as required by law, on Friday, September 13, 2019, in regards to the proposed amendments to Title 10 of the LeRoy Municipal Code pertaining to the adult-use cannabis; and

WHEREAS, the Zoning Board of Appeals recommended approval of the proposed amendments to Title 10 on Friday, September 13, 2019; and

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Le Roy, Illinois in lawful meeting assembled on Monday, September 16, 2019, as follows:

SECTION 1. Title 10 – Zoning Regulations, Chapter 9: B-O-I Business/Office/Industrial District, of the Municipal Code of the City of Leroy shall be amended and will read as follows by ~~strikethrough~~ for omitted language and **bold** for added language:

10-9-2: Permitted Uses: The following uses are permitted in the B-O-I business/office/industrial district:

1. Air conditioning and heating sales and service;
2. Animal hospitals and veterinarian offices;
3. Antique shops, art shops, or galleries;
4. Automated teller machines;

5. Automobile parts and accessories stores;
6. Automobile sales and service shops conducted wholly within a completely enclosed building and as one integrated business operation;
7. Banks and financial institutions;
8. Beverage distributors, ~~but not including~~ **excluding** bottling plants;
9. Bicycle sales, repair and rental shops;
10. Blueprinting, photostating and copying establishments;
11. Boat sales, rentals, storage and repair, including sales and service of marine motors, boat parts and accessories;
12. Book binderies;
13. Bowling alleys;
14. Box and carton manufacturing;
15. Business machine sales, rental and service, including computer stores;
16. Camera and photographic supply stores;
17. Camping equipment sales;
18. Carpet and rug stores (retail sales)
19. Catering establishments;
20. Child daycare centers;
21. ~~Churches and synagogues;~~
22. Clothing manufacturing;
23. Clubs and lodges, private;
24. Commercial advertising and business sign shops;
25. Commercial schools for music, dance, business or trade;
26. Community centers;
27. Dentists' and doctors' offices;
28. Department, furniture, and home appliance stores;
29. Electrical showrooms in shops;
30. Employment agencies;
31. Equipment rental establishments;
32. Farm implement sales and service;
33. Fire stations;
34. Funeral home and mortuaries;
35. Furniture manufacturing;
36. Garden supplies, tools and seed stores, including lawn mower, snow blower, and snowmobile sales and service;
37. Graphics and drafting services;
38. Greenhouses and nurseries;
39. Grocery stores;
40. Gunsmiths;
41. Hardware stores;
42. Hobby shops, for retail sale of items to be assembled or used away from the premises;
43. Hospitals, clinics, nursing homes, group homes, mental health centers, and retirement institutions;
44. Hotels and motels;
45. Insurance offices;

46. Jewelry and watch sales and repair shops;
47. Laboratories, medical, dental, research, and testing;
48. Laundry and dry cleaning establishments, coin operated, self-service only; or hand laundry and dry cleaning establishments, employing not more than six (6) persons in addition to one (1) owner or manager;
49. Libraries;
50. Mail order houses;
51. Meeting and union offices and halls;
52. Mini-warehouses;
53. Monument establishments, including accessory open sales lots;
54. Museums and art galleries;
55. Musical instrument sales and repairs;
56. Newspaper distribution agencies for home delivery and retail trade;
57. Off street parking lots, public garages and storage garages;
58. Office supply stores;
59. Offices – business, professional, governmental, political, and institutional;
60. Outdoor amusement establishment, including archery ranges, miniature golf and similar facilities;
61. Packing and crating establishments;
62. Paint, tile and wallpaper stores;
63. Parks, playgrounds and other noncommercial public open space;
64. Phonographic, record, tape, sheet music, video stores;
65. Picture framing shops;
66. Police stations;
67. Post office;
68. Printing and publishing establishments;
69. Radio and TV stations and studios;
70. Radio and TV towers;
71. Real estate sales offices;
72. Recording studios;
73. **Religious centers, regardless of faith or denomination;**
74. Restaurants, eat in or carry out;
75. Roller skating and ice skating rinks – entirely indoor;
76. Schools – public, private, or parochial;
77. Sporting goods stores;
78. Studios for artists, musicians, and photographers;
79. Swimming pool sales;
80. Telephone exchanges, telephone transmission equipment buildings;
81. Theaters, indoor;
82. Toy manufacturing;
83. Toy stores;
84. Transportation ticket offices;
85. Travel bureaus;
86. Variety stores;
87. Warehouse and storage operations;
88. Water softener service;

89. Yard goods and sewing materials stores; and
90. Other manufacturing of light nature, free from excessive odors, fumes, dirt, vibration, or noise detectable at the lot line.

10-9-3: Special Permitted Uses: The following are specially permitted in the B-O-I business/office/industrial district:

1. **Adult-Use Cannabis Business Establishments may be allowed as a special use, but only upon review and approval in accordance with the provisions of Section 10-3-13 of this title and approval of the City Council:**
 - a. **Adult- Use Dispensing Organization.**
2. Other uses of the same general character as those listed in Section 10-9-2 of this chapter may be permitted upon review by the Zoning Board of Appeals in accordance with the provisions of Section 10-2-4 of this title, and in accordance with the other requirements for businesses located in this district as set forth in this chapter.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Kelly Lay and seconded by Matt Steffen by roll call vote on the 16th day of September, 2019 as follows

Aldermen elected 8

Aldermen Present 6

Voting Aye:

Rick Kline, Kyle Merkle, Brad Poindexter, Kelly Lay, Ron Legner, Matt Steffen.

Voting Nay:

None

Absent:

Dawn Hanafin, Greg Steffen

Abstain:

None

Other:

None

And deposited and filed in the office of the City Clerk in said municipality on the 16th day of September, 2019.



Vicki Moreland, City Clerk of the
City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 16th day of September, 2019



Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)



Vicki Moreland, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on September 16, 2019 the Corporate Authorities of such municipality passed and approved **ORDINANCE NO. 19-09-08-51**

AN ORDINANCE AMENDING TITLE 10; CHAPTER 9 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006


Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 19-09-08-51**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **September 16, 2019** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 16th day of September, 2019.

(SEAL)




Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.


I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING TITLE 10; CHAPTER 9 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 16th day of September, 2019 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 16th day of September, 2019

(SEAL)


Vicki Moreland
Vicki Moreland, City Clerk of the
City of Le Roy,
McLean County, Illinois