



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 023-085
DATE OF PASSAGE November 28, 2023

An Ordinance amending Chapter 6 of the Code of Ordinances pertaining to the licensure of retailers authorized to sell alcoholic liquor.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, there are reports of sales of products containing THC in establishments licensed to sell alcoholic liquor within the City of Aurora that are not regulated or approved by any federal or state governmental body for safe use; and:

WHEREAS, while the State of Illinois has established standards and regulations for most products which contain cannabis sativa derivatives, certain products which contain certain quantities of THC can be sold in non-state regulated facilities and

WHEREAS, it would be in the best interest of public health, safety and welfare of the City of Aurora residents to prohibit the sale of THC or any synthetic cannabinoid products in establishment licensed to alcoholic liquor and)

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That Section 6-2 and 6-27 of Chapter 6 of the Code of Ordinance shall be and hereby are amended as set forth in Exhibit A. Proposed Definitions are to be added to the existing definitions and placed in alphabetical order.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon passage and approval.

Section Three: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar any conflict exists.

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Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That the City Clerk shall cause this Ordinance to be published in pamphlet form upon its passage. .

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LEGISTAR NO. 23-0896

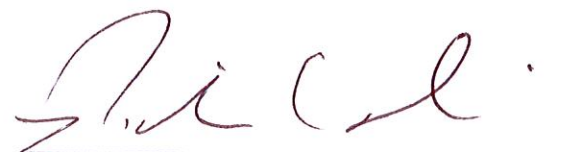
PASSED AND APPROVED ON November 28, 2023

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiascos, Ward 3	yes
Alderman Donnell, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Tolliver, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Laesch, At Large	yes
Alderman Woerman, At Large	yes

ATTEST:


City Clerk


Mayor

1

2 **Sec 6-2 Definitions**

3 All words and phrases used in this chapter, not otherwise defined
4 herein, and which are defined in The Liquor Control Act of 1934
5 (235 ILCS 5/1-1 et seq.) as now or hereafter amended, shall have
6 the meaning accorded to such words and phrases in such act. Unless
7 the context otherwise requires, the following terms as used in
8 this chapter shall be construed according to the definitions given
9 below:

10 Synthetic cannabinoid as defined in Chapter 29 of the Code of
11 Ordinances.

12 Tetrahydrocannabinols (THC) mean those substances contained in a
13 plant of the genus of Cannabis (cannabis plant), as well as
14 synthetic substances, derivatives, and their isomers with similar
15 chemical structure and pharmacological activity to those
16 substances contained in the plant.

17 Tetrahydrocannabinol products means a product which contains THC
18 including but not limited to such products as delta 8, THCA, THC-
19 O vapes and food products such as gummies, bars, ice cream.

20

21 **Sec 6-27 Prohibited Products**

22 (a) It shall be unlawful for any person holding a liquor
23 license to sell at retail for consumption off the premises
24 where sold, any single can, bottle or other container

1 holding beer or wine that contains sixteen (16) fluid
2 ounces/four hundred seventy-five (475) milliliters or less
3 which is refrigerated or displayed in ice.

4 (b) It shall be unlawful for any person holding a liquor
5 license to sell at retail any single container holding less
6 than seven hundred fifty (750) milliliters of wine where
7 alcohol content determined by volume exceeds thirteen (13)
8 percent.

9 (c) It shall be unlawful for any person holding a liquor
10 license to sell at retail any alcoholic liquor where
11 alcohol content determined by volume exceeds seventy-six
12 (76) percent.

13 (d) It shall be unlawful for any person holding a liquor
14 license to sell at retail any single can, bottle or other
15 container holding malt liquor that contains more than
16 twenty-four (24) fluid ounces.

17 (e) It shall be unlawful for any person holding a liquor
18 license to sell or give away items of drug paraphernalia,
19 as defined in section 29-302 of this Code.

20 (f) It shall be unlawful for any person holding a liquor
21 license to sell products used to roll tobacco into
22 cigarettes, commonly referred to as rolling papers or
23 cigarette papers.

1 (g) It shall be unlawful for any person holding a liquor
2 license to sell or give away, for use off the premises,
3 individual paper, plastic or other disposable-type
4 beverage cups.

5 (h) It shall be unlawful for any person holding a liquor
6 license to display for sale any adult magazine, book,
7 poster, or electronic media in such a manner that it can
8 be viewed by those under the age of eighteen (18).

9 (i) It shall be unlawful for any licensee or any employee or
10 agent of any such licensee to sell, deliver, or distribute
11 any product which contains Tetrahyrdocannabinol (THC) or
12 any synthetic cannabinoid.

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