

## Ordinance C

### **AN ORDINANCE AMENDING CHAPTER 7 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Municipal Cannabis Retailers' Occupation Tax Act, 65 ILCS 5/11-8-22 *et seq.* ("Act"); and

WHEREAS, this Ordinance is intended to impose the tax authorized by the Act providing for a Municipal Cannabis Retailers' Occupation Tax which will be collected by the Illinois Department of Revenue;

NOW, THEREFORE, BE IT ORDAINED, BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That Chapter 7 of the Arlington Heights Municipal Code is amended by adding the following new Article XVI:

#### **ARTICLE XVI Municipal Cannabis Retailers' Occupation Tax**

**Section 7-1601 Municipal Cannabis Retailers' Occupation Tax.** A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail in the Village at the rate of 3% of the gross receipts from these sales made in the course of that business. The imposition of this tax is in accordance with the provisions of Sections 8-11-22, of the Illinois Municipal Code (65 ILCS 5/8-11-22).

**Section 7-1602 Collection of Tax by Retailers.** The tax imposed by this Article shall be remitted by such retailer to the Illinois Department of Revenue ("IDR"). Any tax required to be collected pursuant to this Article and any such tax collected by such retailer and required to be remitted to IDR shall constitute a debt owed by the retailer to the State. Retailers may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.

**Section 7-1603 Severability.** If any provision of this Article or the application thereof to any person or circumstances is held invalid, the remainder of this Article and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION TWO: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law; provided, however, that the tax provided for herein shall take effect for all sales on or after the first day of January, 2020.

Copies of this Ordinance shall be certified and sent to the Illinois Department of Revenue prior to September 30, 2019.

AYES:

NAYS:

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

ATTEST:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk