



CITY FLAG  
DESIGNED BY  
FREDERICK L. LANGE  
JULY 6, 1964

**SPECIAL CITY COUNCIL AGENDA  
CITY OF BELLEVILLE, IL  
SEPTEMBER 30, 2019  
AT 5:30 P.M.**

**1. CALL TO ORDER BY MAYOR AND EXPLANATION OF DISASTER PROCEDURES**

**REMINDER: SINCE THE MEETINGS ARE BEING VIDEOTAPED IT IS IMPORTANT THAT EVERYONE SPEAK DIRECTLY INTO A MICROPHONE WHEN SPEAKING.**

**2. ROLL CALL ALDERMEN**

**3. ROLL CALL DEPARTMENT HEADS**

**4. PLEDGE OF ALLEGIANCE**

**5. PUBLIC PARTICIPATION (2-3 MINUTES PER PERSON) - See back page for rules.**

**6. ORAL REPORTS FROM STANDING COMMITTEES, SPECIAL COMMITTEES AND ANY OTHER ORAL REPORTS FROM THE ELECTED OFFICIALS OR STAFF**

**6-A. MOTION FROM ADMINISTRATION**

6-A (1). Motion to amend Chapter 34 (Taxation) by adding Section 34.047 (Municipal Cannabis Retailers' Occupation Tax).

**7. ORDINANCES**

**7-A. ORDINANCE 8376-2019**

An Ordinance amending Chapter 34 (Taxation) of the revised code of ordinance of Belleville, Illinois, as amended, by adding Section 34.047 (Municipal Cannabis Retailers' Occupation Tax).

**8. ADJOURNMENT (ALL QUESTIONS RELATING TO THE PRIORITY OF BUSINESS SHALL BE DECIDED BY THE CHAIR WITHOUT DEBATE, SUBJECT TO APPEAL)**

**PUBLIC PARTICIPATION (2-3 MINUTES PER PERSON)**

- (a) Members of the public may address the City Council in accordance with Section 2.06(g) of the Illinois Open Meetings Act (5 ILCS 120/2.06(g);
- (b) Public comments are limited to three (3) minutes per speaker;
- (c) The subject of public comments shall be reasonably related to matters(s) identified on the meeting agenda and/or other city business;
- (d) Repetitive public comments should be avoided, to the extent practical, through adoption of prior public comment (e.g. agreeing with prior speaker);
- (e) The following conduct is prohibited during public participation:
  - Acting or appearing in a lewd or disgraceful manner;
  - Using disparaging, obscene or insulting language;
  - Personal attacks impugning character and/or integrity;
  - Intimidation;
  - Disorderly conduct as defined in Section 130.02 of this revised code of ordinances.
- (f) Any speaker who engages in such prohibited conduct during public participation shall be called to order by the chair or ruling by the chair if a point of order is made by a sitting alderman.

ORDINANCE NO. 8375-2019

**AN ORDINANCE AMENDING CHAPTER 34 (TAXATION)  
OF THE REVISED CODE OF ORDINANCES OF BELLEVILLE,  
ILLINOIS, AS AMENDED, BY ADDING SECTION 34.047  
(MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX)**

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Municipal Cannabis Retailers' Occupation Tax Law, 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;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS:

**Section 1.** *Recitals.* The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** *Adoption of Tax.* Chapter 34 of the Revised Code of Ordinances of the City of Belleville, Illinois shall be amended by adding **Section 34.047** (Municipal Cannabis Retailers' Occupation Tax) as follows:

**§ 34.047 MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX**

(A) *Tax imposed; Rate.* 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 City 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 Section 8-11-22 of the Illinois Municipal Code (65 ILCS 5/8-11-22).

(B) *Collection of tax by retailers.* The tax imposed by this Ordinance shall be remitted by such retailer to the Illinois Department of Revenue (Department). Any tax required to be collected pursuant to or as authorized by this Ordinance and any such tax collected by such retailer and required to be remitted to the Department

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.

(C) *Administration.* The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this Section.

**Section 3. Severability.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law, provided, however, that the tax provided for herein shall take effect for all sales on or after January 1, 2020. Copies of this Ordinance shall be certified by the City Clerk and filed with the Illinois Department of Revenue on October 1, 2019.

**PASSED** by the City Council of the City of Belleville, Illinois, on this 30<sup>th</sup> day of September, 2019 on the following roll call vote:

	<u><b>AYE</b></u>	<u><b>NAY</b></u>
Joseph Hazel	_____	_____
Ken Kinsella	_____	_____
Jane Pusa	_____	_____
Carmen Duco	_____	_____
Kent Randle	_____	_____
Scott Ferguson	_____	_____
Johnnie Anthony	_____	_____
Raffi Ovian	_____	_____
Edward Dintelman	_____	_____
Michelle Schaefer	_____	_____
Chris Rothweiler	_____	_____
Mary Stiehl	_____	_____
Philip Elmore	_____	_____
Dennis Weygandt	_____	_____
Roger Wigginton	_____	_____
Roger Barfield	_____	_____

**APPROVED** by the Mayor of the City of Belleville, Illinois this 30<sup>th</sup> day of September, 2019.

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MARK W. ECKER, MAYOR

ATTEST:

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JENNIFER GAIN MEYER, CITY CLERK