

ORDINANCE NO. 2020-05

**AN ORDINANCE AMENDING THE STREATOR MUNICIPAL CODE
BY THE ADDITION OF TITLE 3, CHAPTER 3.52
IMPOSING A MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX FOR THE
CITY OF STREATOR, LASALLE AND LIVINGSTON COUNTIES, ILLINOIS**

Recitals

- A. The City of Streator, LaSalle and Livingston Counties, Illinois (the "City") has the authority to adopt ordinances and to promulgate rules and regulations pertaining to its government and affairs and to protect the public health, safety, and welfare of its citizens.
- B. This Ordinance is adopted pursuant to the provisions of the Illinois Municipal Cannabis Retailers' Occupation Tax Law, 65 ILCS 5/11-8-23 *et seq.* (the "Act").
- C. 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 CITY COUNCIL OF THE CITY OF STREATOR, LASALLE AND LIVINGSTON COUNTIES, ILLINOIS, AS FOLLOWS BELOW.

SECTION 1: Recitals. The City Council hereby finds the recitals stated above are true and correct and incorporate them into this Ordinance by this reference.

SECTION 2. Adoption of Tax. Title 3 of the Streator Municipal Code shall be amended by the addition of Chapter 3.52 that will read as follows herein.

CHAPTER 3.52

Municipal Cannabis Retailers' Occupation Tax

3.52.10 -- Municipal Cannabis Retailers' Occupation Tax Imposed. 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 Program Act, at retail in the City of Streator 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 8-11-23 of the Illinois Municipal Code (65 ILCS 5/8-11-23).

- A. The tax imposed by this Chapter shall be remitted by such retailer to the Illinois Department of Revenue (the "Department"). Any tax required to be collected pursuant to or as authorized by this Chapter 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.
- B. 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 Chapter.

SECTION 3: Severability. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 4: Provisions In Effect. Except as to the amendments heretofore mentioned, all titles, chapters, articles, and sections of the Streator Municipal Code shall remain in full force and effect.

SECTION 5. Filing with the Illinois Department of Revenue. A certified copy of this Ordinance shall be filed with the Illinois Department of Revenue within thirty days' after its adoption.

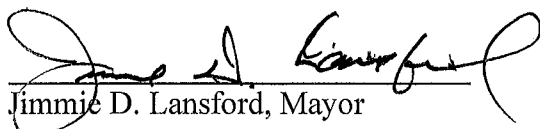
SECTION 6: Effective Date and Publication. This Ordinance shall be in full force and effect upon its passage and approval and publication as required by law.

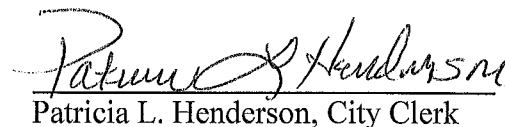
PASSED at a regular meeting of the City Council of the City of Streator, Illinois, February 19, 2020, by a roll call vote as follows:

RECORD OF THE VOTE	AYE	NAY	ABSENT
Mayor Jimmie D. Lansford	√		
Councilwoman Tara Bedei	√		
Councilman Ed Brozak	√		
Councilman Brian Crouch			√
Councilman Joe Scarbeary			√

APPROVED February 19, 2020

ATTEST:


 Jimmie D. Lansford, Mayor


 Patricia L. Henderson, City Clerk