

ORDINANCE 16-30

AN ORDINANCE AMENDING TITLE 4, POLICE REGULATIONS, CHAPTER 1, MISDEMEANOR CODE, ARTICLE 4, OFFENSES INVOLVING HEALTH, SAFETY AND CHILDREN, SECTION 4-1-4-17, POSSESSION OF CANNABIS OR DRUG PARAPHERNALIA, OF THE MUNICIPAL CODE FOR THE VILLAGE OF MANTENO.

TIMOTHY O. NUGENT

Village President

TIMOTHY J. BOYCE
TODD CROCKETT
DIANE DOLE
JOEL GESKY
SAMUEL MARTIN
WENDELL PHILLIPS

Trustees

ALISA BLANCHETTE

Village Clerk

Prepared by
LOUIS F. CAINKAR, LTD.
Village Attorney

ORDINANCE NO. 16-30

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BE IT ORDAINED by the President and Board of Trustees of the Village of Manteno, as follows:

Section 1

That Title 4, Police Regulations, Chapter 1, Misdemeanor Code, Article 4, Offenses Involving Health Safety and Children, be amended by changing Section 4-1-4-17, Possession of Cannabis or Drug Paraphernalia, to provide as follows:

...

4-1-4-17: POSSESSION OF CANNABIS OR DRUG PARAPHERNALIA:

It shall be unlawful for any person to knowingly possess 10 grams or less of cannabis as defined by the Cannabis Control Act (720 ILCS 55/1, et seq.) or knowingly be in the possession of drug paraphernalia as defined by the Drug Paraphernalia Control Act (720 ILCS 600/1, et seq.). Any person in possession of 10 grams or less of cannabis or drug paraphernalia shall be taken into custody and transported to the Village of Manteno Police Department for a criminal history check. If the criminal history check reveals no outstanding warrants, previous drug possession convictions, previous drug paraphernalia convictions, a possible probation violation, or another basis that would necessitate criminal processing, the following shall apply:

a) Unless otherwise provided, any person taken into custody for possession of 10 grams or less of cannabis or drug paraphernalia shall be given the option of being issued an ordinance violation citation in lieu of being charged criminally.

...

Section 2

If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 3

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 4

This ordinance shall be immediately in full force and effect after the passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.


RECORD OF THE VOTE	Yes	No	Abstain	Absent
President Timothy Nugent				
Trustee Timothy Boyce	✓			
Trustee Samuel Martin	✓			
Trustee Diane Dole	✓			
Trustee Todd Crockett	✓			
Trustee Joel Gesky	✓			
Trustee Wendell Phillips				✓
TOTAL VOTES <i>or</i>				
BY OMNIBUS VOTE	5			

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 6th day of February, 2017.

DEPOSITED with the Village Clerk
this 6th day of February, 2017.


ALISA BLANCHETTE, Village Clerk

APPROVED by me this 6th
day of February, 2017.


TIMOTHY C. NUGENT, Village President

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 6th day of February, 2017.

Alisa Blanchette by Carla Heuley, Deputy VC
ALISA BLANCHETTE, Village Clerk