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RETURN TO:

**ANDREA D. LAMBERT
CLERK, CITY OF TROY
116 E. MARKET
TROY, IL 62294**

2020R06753
STATE OF ILLINOIS
MADISON COUNTY
02/28/2020 09:59 AM
AMY M. MEYER, RECORDER
REC FEE: 50.00
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OF PAGES: 6

CITY OF TROY

ORDINANCE NO. 2020 - 06

50.00

**AN ORDINANCE AMENDING SECTION 118 OF TITLE XI. BUSINESS
REGULATIONS - OF THE CODE OF ORDINANCES OF THE CITY OF TROY,
ILLINOIS BY THE ADDITION OF SECTION 118.05 - IMPOSING A
MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX**

**ADOPTED BY THE
CITY COUNCIL OF THE
CITY OF TROY, ILLINOIS
THIS 18th DAY OF FEBRUARY, 2020**

**Published in pamphlet form by the authority of the City Council of the City of Troy,
Madison County, Illinois, this 18th day of February, 2020.**

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AN ORDINANCE AMENDING SECTION 118 OF TITLE XI. BUSINESS REGULATIONS – OF THE CODE OF ORDINANCES OF THE CITY OF TROY, ILLINOIS BY THE ADDITION OF SECTION 118.05 - IMPOSING A MUNICIPAL CANNABIS RETAILERS' OCCUPATION TAX

WHEREAS, in accord with the provisions of the Illinois Cannabis Act, as well as the previous Ordinances enacted by the City pursuant thereto, the City Council for the City of Troy, Illinois, believes that it is in the best interest of the health, safety and welfare of the of the City of Troy, Illinois, to further amend its Code of Ordinances as follows; and

WHEREAS, the City of Troy, Illinois, 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 Law, 65 ILCS 5/8-11-23 *et seq.* (hereinafter "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 CITY COUNCIL OF THE CITY OF TROY, MADISON COUNTY, ILLINOIS, AS FOLLOWS:

That the Code of Ordinances of the City of Troy, Illinois, is hereby amended by adding the following:

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 118 of the Code of Ordinances of the City of Troy, Illinois is hereby amended by the addition of Section 118.05 – Imposing a Municipal Cannabis Retailers' Occupation Tax, and shall read as follows:

Title XI. Business Regulations.

Chapter 118. Regulation of Use of Cannabis.

Section 118.05 - Municipal Cannabis Retailers' Occupation Tax.

1. Tax imposed - Rate.

(a) 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 of Troy, Illinois at the rate of 3% of the gross receipts from these sales made in the course of that business.

(b) 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).

2. Collection of tax by retailers.

(a) 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.

(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 article.

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 the first day of July, 2020. Copies of this Ordinance shall be certified and sent to the Illinois Department of Revenue prior to April 1, 2020.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 18th day of February, 2020.

Those voting aye: Dawson, Hellrung, Henderson
Knoll, Manley, Turner

Those voting nay: _____

Those absent: Italians, Levo

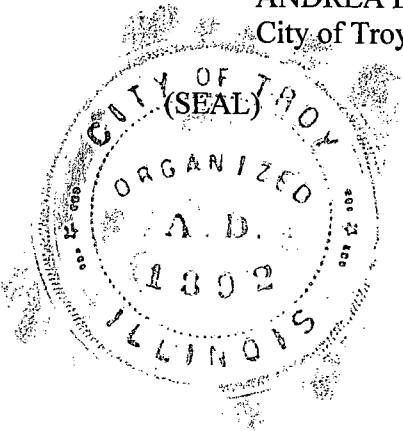
APPROVED:

By: *Allen Adomite*

ALLEN ADOMITE, Mayor
City of Troy, Illinois

ATTEST:

BY: *Andrea D. Lambert*
ANDREA D. LAMBERT, Clerk
City of Troy, Illinois



-The City of

TROY



I L L I N O I S

Everything Within Reach

STATE OF ILLINOIS)
) SS.
COUNTY OF MADISON)

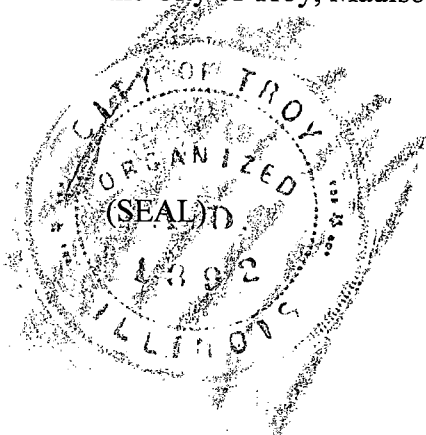
CERTIFICATION

I, Andrea D. Lambert, do hereby certify that I am the duly elected and acting City Clerk of the City of Troy, Madison County, Illinois, USA and as such officer I am the keeper of Records, Files, and Corporate Seal of the City Council of the City of Troy.

I do further certify that the foregoing constitutes a full, true and complete copy of an ordinance adopted at a legally convened meeting of the City Council of the City of Troy held on the 18th day of February, 2020, which ordinance is entitled:

**ORDINANCE 2020-06
AN ORDINANCE AMENDING SECTION 118 OF TITLE XI. BUSINESS
REGULATIONS - OF THE CODE OF ORDINANCES OF THE CITY OF TROY,
ILLINOIS BY THE ADDITION OF SECTION 118.05 - IMPOSING A MUNICIPAL
CANNABIS RETAILERS' OCCUPATION TAX**

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the City of Troy, Madison County, Illinois this 18th day of February, 2020.



Andrea D. Lambert
City Clerk, City of Troy, Illinois

116 East Market • Troy, IL 62294-1599
Mayor Allen P. Adomite, Administration: 618/667/6741 • Fax: 618/667/4009
Public Works Dept: 618/667/9924 • Building & Zoning Dept: 618/667/8734
Website: www.troyil.us

Ordinance 2020-06 and Certification page sent to IDOR on 2/24/2020
At the following address:

Local Tax Allocation Division (MC3-500)
Illinois Department of Revenue
101 W Jefferson Street
Springfield, IL 62702

END OF DOCUMENT