

State of Illinois)
)
County of Ogle)

ORDINANCE -2019-1201

WHEREAS, at its County Board meeting held on August 21, 2018, the Ogle County Board passed Ordinance 2018-0808 “An Ordinance Establishing a Moratorium on Solar Farm Approvals” which imposed a moratorium on the approval of special use permits for solar farms in Ogle County, Illinois (hereinafter the “Moratorium”);

WHEREAS, at its County Board meeting held on January 15, 2019, the Ogle County Board suspended the Moratorium for the limited purpose of taking action in regard to certain special use permit requests for solar farms in Ogle County which were on the Ogle County Board’s agenda;

WHEREAS, at its County Board meeting held on February 19, 2019, the Ogle County Board passed Ordinance 2019-0203 which extended the Moratorium until August 19, 2019.

WHEREAS, at its County Board meeting held on August 20, 2019, the Ogle County Board passed Ordinance 2019-0804 which extended the Moratorium until December 31, 2019.

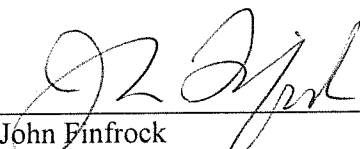
WHEREAS, it is in the best interest of the Ogle County that the Moratorium be extended to allow the Ogle County Board to continue to study the issue of solar farms;

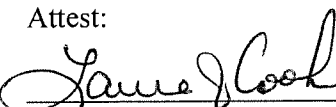
NOW THEREFORE BE IT ORDAINED, by the Ogle County Board as follows:

That “An Ordinance Establishing a Moratorium on Solar Farm Approvals” which was passed by the Ogle County Board as Ordinance 2018-0808 is Hereby EXTENDED and shall terminate on March 31, 2020 unless terminated, modified or further extended by a subsequent action of the Ogle County Board,

This ordinance shall be effective upon its passage.

Ordained this 17th day of December 2019.


John Finfrock
Chairman, Ogle County Board

Attest:

Laura J. Cook
Ogle County Clerk



ORDINANCE NO. 2019-1202

AN ORDINANCE PROHIBITING CANNABIS BUSINESS ESTABLISHMENTS IN THE COUNTY OF OGLE

WHEREAS, County of Ogle, a body politic and corporate of the State of Illinois (“County”) is a non-home rule unit of local government pursuant to Article VII, § 8 of the 1970 Illinois Constitution; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the County has the authority to enact ordinances to prohibit or significantly limit a cannabis business establishment's location; and

WHEREAS, the County has determined that the operation of cannabis business establishments would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the County; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF AS FOLLOWS:

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. Cannabis Business Establishments Prohibited. Chapter 4 of the County Code of the County of Ogle shall be amended by the addition of **Division 8: Cannabis Business Establishments Prohibited** that will read as follows:

4-8-1: TITLE: This division shall be known, cited and referred to as the Cannabis Business Establishments Prohibited Ordinance of Ogle County.

4-8-2 Definitions. The following words and phrases shall, for the purposes of this division, have the meanings respectively ascribed to them by this section, as follows:

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT: A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

ADULT-USE CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS DISPENSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or

related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

PERSON: Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

4-8-3. Cannabis Business Establishments Prohibited. The following Adult-Use Cannabis Business Establishments are prohibited in the County of Ogle. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the County of Ogle of any of the following:

Adult-Use Cannabis Craft Grower

Adult-Use Cannabis Cultivation Center

Adult-Use Cannabis Dispensing Organization

Adult-Use Cannabis Infuser Organization or Infuser

Adult-Use Cannabis Processing Organization or Processor

Adult-Use Cannabis Transporting Organization or Transporter

4-8-4. Public Nuisance Declared. Operation of any prohibited Cannabis Business Establishment within the County in violation of the provisions of this division is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

4-8-5. Violations. Violations of this division may be enforced in accordance with the provisions of this Code.

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.

Passed by the County Board this 17th day of December, 2019

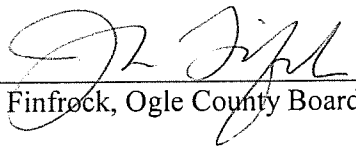
AYES: 18

NAYS: 2

PRESENT: 20

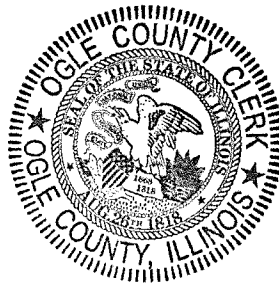
ABSTAIN/ABSENT: 4

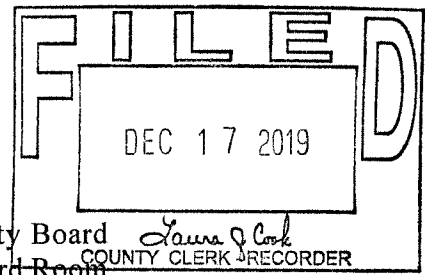
Approved this 17th day of December, 2019


John Finfrock, Ogle County Board Chairman

ATTEST:


Laura J. Cook, Ogle County Clerk





MINUTES of the regular public meeting of the County Board of The County of Ogle, Illinois, held in the County Board Room at the County Courthouse, in said County, at 5:30 p.m., on the 17th day of December 2019

* * *

The meeting was called to order by the Chairman, and upon the roll being called, Finfrock, the Chairman, and the following County Board Members at said location answered present: Asp, Bowers, Corbitt, Droege, Fox, Fritz Griffin, Heuer, Hopkins, James, Kenney, McKinney, Nordman, Oltmanns, Reising, Sparrow, Sulser, Tyler, Youman and Finfrock.

The following County Board Members were allowed by a majority of the County Board Members of the County Board in accordance with and to the extent allowed by rules adopted by the County Board to attend the meeting by video or audio conference: N/A

No County Board Member was not permitted to attend the meeting by video or audio conference.

The following County Board Members were absent and did not participate in the meeting in any manner or to any extent whatsoever: Boes, McLester, Whalen and Smith

The Chairman announced that the next item of business before the County Board was the consideration of an ordinance abating the taxes heretofore levied for the year 2019 to pay the debt service on the County's outstanding \$9,705,000 General Obligation Bonds (Alternate Revenue Source), Series 2018.

Whereupon County Board Member Sparrow presented and read by title an ordinance as follows, a copy of which was provided to each County Board Member of the County Board prior to said meeting and to everyone in attendance at said meeting who requested a copy:

ORDINANCE No. 2019-1203

AN ORDINANCE abating the taxes heretofore levied for the year 2019 to pay debt service on \$9,705,000 General Obligation Bonds (Alternate Revenue Source), Series 2018, of The County of Ogle, Illinois.

* * *

WHEREAS, the County Board (the "*Board*") of The County of Ogle, Illinois (the "*County*"), by resolution adopted on the 18th day of December, 2018 (the "*12/18/18 Resolution*"), did provide for the issue of \$9,705,000 General Obligation Bonds (Alternate Revenue Source), Series 2018 (the "*2018 Bonds*"), and the levy of a direct annual tax sufficient to pay debt service on the 2018 Bonds; and

WHEREAS, on the 28th day of December, 2018, a duly certified copy of the 12/18/18 Resolution was filed in the office of the County Clerk of the County (the "*County Clerk*"); and

WHEREAS, the County has Pledged Revenues (as defined in the preambles to the 12/18/18 Resolution) available for the purpose of paying debt service on the 2018 Bonds heretofore imposed by the 2019 levy; and

WHEREAS, the Pledged Revenues are hereby directed to be deposited into the "Bond Fund" established pursuant to Section 15 of the 12/18/18 Resolution for the purpose of paying the debt service on the 2018 Bonds; and

WHEREAS, it is necessary and in the best interests of the County that the taxes heretofore levied for the year 2019 to pay the debt service on the 2018 Bonds be abated:

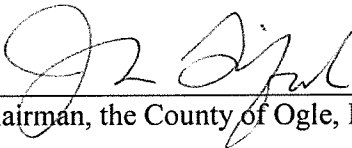
Now, THEREFORE, Be It Ordained by the County Board of The County of Ogle, Illinois, as follows:

Section I. Abatement of Tax for 2018 Bonds. The tax heretofore levied for the year 2019 in the 12/18/18 Resolution shall be abated in its entirety.

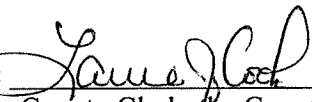
Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Clerk of the Board shall file a certified copy hereof with the County Clerk and it shall be the duty of the County Clerk to abate said taxes levied for the year 2019 in accordance with the provisions hereof.

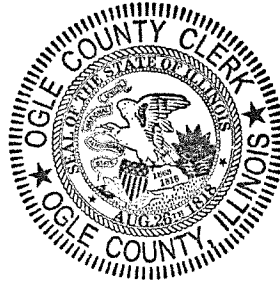
Section 3. Effective Date. This ordinance shall be in full force and effect forthwith upon its adoption.

Adopted by the Ogle County Board on Dec. 17th, 2019.

By: 
Its: Chairman, the County of Ogle, Illinois

ATTEST:

By: 
Its: County Clerk, the County of Ogle, Illinois



Member Sparrow moved and Member Janes

seconded the motion that said ordinance as presented be adopted.

After a full discussion thereof, the Chairman directed that the roll be called for a vote upon the motion to adopt said ordinance as read by title.

Upon the roll being called, the following Members voted AYE: Asp, Bowers,
Corbitt, Droege, Fox, Fritz, Griffin, Heuer, Hopkins, Janes,
Kenney, McKinney, Nordman, Oltmanns, Reising, Sparrow, Sulser,
Typer, Youman and Finfrack
and the following Members voted NAY: _____

None.

Whereupon the Chairman declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed the County Clerk to record the same in full in the records of the County Board of the County of Ogle, Illinois, which was done.

Other business not pertinent to the adoption of said ordinance was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

James J. Cook
County Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

CERTIFICATION OF MINUTES AND ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of the County of Ogle, Illinois (the "County"), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the County and of the County Board (the "County Board") thereof.


I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the County Board held on the 17th day of Dec, 2019, insofar as the same relates to the adoption of an ordinance entitled:

AN ORDINANCE abating the taxes heretofore levied for the year 2019 to pay debt service on \$9,705,000 General Obligation Bonds (Alternate Revenue Source), Series 2018, of The County of Ogle, Illinois.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the County Board on the adoption of said ordinance were taken openly; that the vote on the adoption of said ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers, radio or television stations and other news media requesting such notice; that an agenda for said meeting was posted at the principal office of the County Board and at the location where said meeting was to be held on a day which was not a Saturday, Sunday or legal holiday for Illinois municipalities and at least 48 hours in advance of holding said meeting; that said agenda described or made specific reference to said ordinance; that a true, correct and complete copy of said agenda as so posted is attached hereto; and that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Counties Code of the State of Illinois, as amended, and that the County Board have complied with all of the provisions of said Act and said Code, and with all of the procedural rules of the County Board in the adoption of said ordinance.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of the County this 17th day of Dec, 2019.



County Clerk



STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of Ogle County, Illinois, and as such official I do further certify that on the 17th day of Dec., 2019, there was filed in my office a duly certified copy of Ordinance No. 2019-1203 entitled:

AN ORDINANCE abating the taxes heretofore levied for the year 2019 to pay debt service on \$9,705,000 General Obligation Bonds (Alternate Revenue Source), Series 2018, of The County of Ogle, Illinois.

duly adopted by the Chairman and County Board of the County of Ogle, Illinois, on the 17th day of Dec., 2019, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this 17th day of Dec., 2019.



County Clerk of Ogle County, Illinois

