

ORDINANCE 2026-5

**AN ORDINANCE CREATING SECTION 119-268: CANNABINOID HEMP PRODUCTS
TO THE ZONING CODE OF THE VILLAGE OF MT. ZION, ILLINOIS CODE OF
ORDINANCES**

WHEREAS, the Village of Mt. Zion is a non-home rule municipality with Article VI Section 6A of the Illinois Constitution and pursuant to the powers granted to it under 65 ILCS 5/1-1 et seq.: and

WHEREAS, in November 2025, P.L. 119-37 amended the definition of *hemp* under Title 7, Section 1639o, of the U.S. Code, which reimposes federal controls over certain hemp products. The new law effectively bans the overwhelming majority of existing hemp-derived THC products, and explicitly prohibits synthetic cannabinoids derived via chemical conversion, such as Delta-8 derived from hemp cannabidiol (CBD). Also banned are naturally-derived cannabinoids in final products exceeding the new THC limits. Given that many hemp-derived THC products now on the market exceed the new, more narrow, limits, the ban is a de facto nationwide prohibition.

WHEREAS, the Village of Mt. Zion Board of Trustees have determined that regulation of cannabinoid hemp products within the zoning jurisdiction of the Village is necessary and advantageous and supports the public health, welfare, safety, and morals of the public and have authorized the same by vote of the Village Board.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Section 119-268 of the Village Zoning Code is hereby created and shall read as follows:

Sec. 119-267 – Cannabinoid Hemp Products.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

"Cannabinoids" means ligands that are either plant-derived, synthetic, or semisynthetic, and have an affinity for and activity at cannabinoid receptors.

"Cannabis" has the meaning ascribed to that term in Section 1-10 of the Cannabis Regulation and Tax Act, codified at 410 ILCS 705/1-10.

"Cannabis business establishment" means a cannabis craft grower, cannabis cultivation center, adult use cannabis dispensary, medical cannabis dispensary, cannabis infuser or cannabis processor licensed by the State of Illinois' Cannabis Regulation and Tax Act (410 ILCS 705/1-1

et seq.) or the State of Illinois' Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et seq.) and administrative rules promulgated thereunder.

"Concealment" means to deliberately hide to prevent or evade discovery.

"Hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinol concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent in the plant on a dry weight basis. "Hemp" shall not include cannabis or industrial hemp.

"Hemp Synthesized Intoxicants" means products derived from hemp that contain Intoxicating Cannabinoids.

"Intoxicating Cannabinoids" means any cannabinoid, however derived or created, that has an intoxicating effect when consumed or otherwise ingested, irrespective of whether the cannabinoid was created or developed through natural means or through chemical conversion, isomerization, synthetic derivation, heat, or any other process by which molecules may be manipulated; OR any cannabinoid, semisynthetic or synthetic cannabinoid, or precursor to an intoxicating cannabinoid that may become intoxicating when heated, decarboxylated, or otherwise manipulated, including without limitation, THC-A.

"Prohibited cannabinoid hemp product" means any intermediate or final product manufactured or derived from hemp, other than cannabis and industrial hemp, that: (1) contains cannabinoids in any form, including any synthetic or manufactured cannabinoid, intended for human consumption through any means of administration, such as inhalation or ingestion; and (2) is capable of producing a psychoactive or other intoxicating effect in a person who consumes it.

(b) *Application.* This subsection applies to hemp synthesized intoxicants and prohibited cannabinoid products for sale at retail. Nothing in this section shall apply to cannabis business establishments or the preparation, manufacture, bottling, packing, distribution, storage, or sale at wholesale of any product containing cannabis or hemp by any establishment holding (a) a manufactured food manufacturer registration issued by the Illinois Department of Public Health; (b) a hemp processor registration issued by the Illinois Department of Agriculture; or (c) a license to manufacture or distribute beer, wine, or spirits.

(c) *Prohibited cannabinoid hemp products.*

(1) No person or entity shall sell, offer for sale, give away, barter, exchange, or otherwise furnish any hemp synthesized intoxicants or prohibited cannabinoid hemp products within the Village, or engage in an act of concealment of any hemp synthesized intoxicants or prohibited cannabinoid hemp products within the Village; provided, however, that this section shall not apply to any cannabis business establishment.

(2) There shall be a rebuttable presumption that any goods, products, or merchandise is a hemp synthesized intoxicant or a prohibited cannabinoid hemp product if such good, product, or merchandise claims on its packaging, or the person selling or holding out for sale such good, product, or merchandise claims, that the good, product or merchandise is: (1) a hemp synthesized intoxicant or prohibited cannabinoid hemp product; or (2) containing or being intended to produce or simulate the psychoactive or other intoxicating effects of hemp, cannabis, or any derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers of hemp or cannabis. Such presumption may be rebutted by submitting clear and convincing evidence that such goods, products, or merchandise do not contain the above compounds or are not intended to produce the above-described effects prepared by a "cannabis testing facility", as defined by the Cannabis Regulation and Tax Act or a duly licensed third-party testing facility that is accredited by a private laboratory accrediting organization.

(d) *Penalty.* Any person who violates the provisions of this subsection shall, upon conviction, be punished as provided in section 1-8 of this Code.

Section 2. Effective Date. This ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 3. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

PASSED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS, ON THE 16th DAY OF MARCH 2026 PURSUANT TO A ROLL CALL VOTE AS FOLLOWS.

Doty YEA _____

Siudyla ABSENT _____

West YEA _____

Patrick YEA _____

Vance YEA _____

Tibbs ABSENT _____

APPROVED:

ATTEST:



VILLAGE PRESIDENT



VILLAGE CLERK

4 Ayes 0 Nays

STATE OF ILLINOIS)
)
COUNTY OF MACON) SS

I, the undersigned, Clerk of the Village of Mt. Zion, do hereby certify that the above and foregoing is a true, perfect and correct copy of Ordinance No. 2026-5 adopted at a meeting of the Board of Trustees of said Village held on March 16, 2026 and that the original of said Ordinance is in my custody as such Clerk pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village this 16th day of March 2026.



Clerk - The Village of Mt. Zion