

**VILLAGE OF OLYMPIA FIELDS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 2023-22

**AN ORDINANCE ESTABLISHING A SIX-MONTH MORATORIUM
ON THE ESTABLISHMENT OF NEW SMOKE/VAPE SHOPS
IN THE VILLAGE OF OLYMPIA FIELDS**

PASSED AND APPROVED BY THE PRESIDENT
AND BOARD OF TRUSTEES OF THE VILLAGE
OF OLYMPIA FIELDS, COOK COUNTY, ILLINOIS,
THIS ___ DAY OF _____, 2023.

Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Olympia Fields, Cook
County, Illinois, this _____
day of _____, 2023.

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WHEREAS, the Village of Olympia Fields is committed to creating and maintaining a strong and diverse commercial tax base; and

WHEREAS, there has been a proliferation in locating what are commonly referred to as “smoke shops” or “vape shops” both within the Village and within nearby municipalities; and

WHEREAS, the President and Board of Trustees believe it is essential to maintaining a strong and diverse commercial tax base that the Village study this recent development in order to determine the need for specific regulation of smoke shops and vape shops, and therefore find it is necessary to impose a limited moratorium on the issuance of any new permits to individuals or entities whose principal proposed business is conducting a smoke shop or vape shop as defined in this Ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF OLYMPIA FIELDS PRESIDENT AND BOARD OF TRUSTEES, COOK COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. **Definitions.** As used in this Ordinance:

(a) The term “Smoke/ Vape Shop” shall mean any retail business whose principal business enterprise is the sale of tobacco products and/or electronic cigarettes. This

definition shall not include businesses which incidentally sell tobacco products or electronic cigarettes.

(b) “Electronic cigarette” means:

(1) any device that employs a battery or other mechanism to heat a solution or substance to produce a vapor or aerosol intended for inhalation;

(2) any cartridge or container of a solution or substance intended to be used with or in the device or to refill the device; or

(3) any solution or substance, whether or not it contains nicotine intended for use in the device.

“Electronic cigarette” includes, but is not limited to, any electronic nicotine delivery system, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, any components or parts that can be used to build the product or device, and any component, part, or accessory of a device used during the operation of the device, even if the part or accessory was sold separately. “

(c) “Tobacco product” means any product containing or made from tobacco that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, snus, and any other smokeless tobacco product which contains tobacco that is finely cut, ground, powdered, or leaf and intended to be placed in the oral cavity. “Tobacco product” includes any component, part, or accessory of a tobacco product, whether or not sold separately. “Tobacco product” does not include: an alternative nicotine product as defined in this Section; or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

Section 2. Moratorium Declared. Effective upon the adoption of this Ordinance, a six (6) month moratorium on new Smoke/ Vape Shops is hereby imposed throughout the Village of Olympia Fields. During this moratorium, the Village shall not issue any new business licenses to any establishment that meets the definition of a Smoke/ Vape shop as defined herein.

Section 3. Direction to Staff. Village staff is hereby authorized and directed to study issues relating to the location of Smoke/ Vape Shops throughout the Village and prepare a report

and recommendation for potential ordinance changes to the Village Board. Such recommendation shall be made within five (5) months of the effective date of this Ordinance.

Section 4. **Effective Date.** That this ordinance shall be in full force and effect immediately upon its passage.

THIS ORDINANCE IS ADOPTED AND APPROVE BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF OLYMPIA FIELDS, this ____ day of _____, 2023.

First reading waived.

PASSED on second reading this ____ day of _____, 2023.

Roll Call Vote:

Voting in Favor: _____

Voting Against: _____

Not Voting: _____

APPROVED this ____ day of _____, 2023.

VILLAGE PRESIDENT

PUBLISHED in pamphlet form this _____ of _____, 2023.

VILLAGE CLERK

PREPARED AND APPROVED AS TO FORM:

VILLAGE ATTORNEY