

MEMORANDUM

To: Mayor, Board of Aldermen, and Staff

From: Curt Poore

Subject: Amendments to Codes related to Marijuana

With the passage of the constitutional amendment allowing recreational marijuana, amendments to the City code are necessary to decriminalize marijuana. The state constitution does allow the City to incorporate some restrictions into its code. The restrictions I am recommending are attached. Those sections in blue are new or added language. Those sections in red are deleted language. Those sections in black are holdovers from the current ordinance.

The primary objectives are:

1. Prohibit people from smoking marijuana in public and in particular at Homecomers or other such events.
2. Prohibit people from smoking marijuana in cars as it is a real danger to the public (leads to impaired driving).
3. Prohibit minors from using marijuana in any manner.

JPD officers need the authority to stop (or at least ticket) the above referenced behavior should it occur in their presence. However, the constitution allows only for civil penalties under these circumstances. I recommend handling these tickets the same as any other but the Judge will be limited to the amount of a civil penalty for punishment which, in most cases, is \$100.00. A civil penalty is not the same as a criminal fine and the violator will not face the possibility of a jail sentence nor a criminal conviction.