

Ordinance 0013-25 – Age Restriction on Sale of Intoxicating Hemp-derived Products

An ordinance to create Chapter 66, Article XXXIII of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 66, Article XXXIII of the Municipal Code of the City of Racine is created to state as follows:

ARTICLE XXXIII. – INTOXICATING HEMP-DERIVED PRODUCTS

Sec. 66-1301. – Definitions.

- (a) *Hemp* is as defined in Wis. Stat. § 94.55 and amended from time to time.
- (b) *Intoxicating hemp-derived cannabinoids* mean any hemp-derived product that contains either:
 - (1) The cannabinoid delta-9 tetrahydrocannabinol (THC) in a concentration of not more than 0.3 percent.
 - (2) A cannabinoid other than delta-9 tetrahydrocannabinol (THC), or an isomer derived from delta-9 THC, including delta-8 THC, delta-10 THC, hexahydrocannabinol (HHC), HHC-O-acetate (HHC-O), THC acid (THCA), THC-O-acetate (THC-O), tetrahydrocannabiphorol (THCP), and tetrahydrocannabivarin (THCV), among others.
- (c) *Non-intoxicating hemp-derived cannabinoid* means any hemp-derived product that does not contain intoxicating hemp-derived cannabinoids, including cannabidiol (CBD).

State law reference – Wis. Stat. § 94.55, Definition of hemp.

Sec. 66-1302. – Prohibition.

No person shall sell or provide any intoxicating hemp-derived cannabinoids, or any product packaged, advertised, or otherwise held out as to contain intoxicating hemp-derived cannabinoids, to any person who is under the age of 21 at the time of the transaction.

Sec. 66-1303. – Penalties.

- (a) *Bond amount.* Any person charged with a violation of this article may pay a deposit of \$1,500 plus costs in lieu of a court appearance.

(b) *Forfeiture*. Any person found in violation of this article shall forfeit not more than \$3,000.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.