

Ordinance 0003-19

Part 1: To amend the title of section 66-261 to read: "Possession of marijuana."

Part 2: To re-create subsection 66-261(a) and add subsection 66-261(b) so that the section reads as follows:

"Sec. 66-261. - Possession of 25 grams or less.

(a) It shall be unlawful for any person to possess marijuana, in the amount of 25 grams or less, as that substance is defined in Wis. Stat. § 961.01(14), unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner acting in the course of his or her professional practice, or except as otherwise authorized by Wis. Stats. ch. 961. Any person who is charged with possession of more than 25 grams of marijuana, or possession of any amount of marijuana following a conviction in any court in Wisconsin for possession of marijuana, shall not be prosecuted under this section.

(b) Penalties. Upon conviction, any person found to be in violation of this section shall forfeit \$75.00, plus court costs."

State Law reference— Power of municipalities to prohibit criminal conduct, Wis. Stat. § 66.0107; Uniformed Controlled Substances Act, Wis. Stats. Ch. 961.

Part 3: To amend the table in section 66-3 to reduce the bond amount for a violation of section 66-261 from \$225.00 to \$75.00.

Part 4: This ordinance shall take effect upon passage by a majority vote of the members-elect of the Racine Common Council and publication or posting as required by law.

Fiscal Note: N/A