

ORDINANCE BILL NO. 5 FOR 2011

ORDINANCE NO. 1227

AN ORDINANCE PERTAINING TO THE REGULATION OF UNLAWFUL POSSESSION OF MARIJUANA, LESS THAN ONE OUNCE

SECTION 1. Sweet Home Municipal Code Chapter 9.52 is hereby created to read as follows:

CHAPTER 9.52: UNLAWFUL POSSESSION OF MARIJUANA, LESS THAN ONE OUNCE

9.52.010 UNLAWFUL POSSESSION.

No person shall knowingly or intentionally possess less than one avoirdupois ounce of the dried leaves, stems and flowers of the plant marijuana, Cannabis family Moraceae except as allowed under the Oregon Revised Statutes.

9.52.020 MUNICIPAL VIOLATION.

Unlawful possession of Marijuana is a violation under this chapter if the amount possessed is less than one avoirdupois ounce. A violation under this chapter is punishable with a presumptive fine of \$650.00 but the fine cannot be less than \$520.00 and not more than \$2,000.00.

9.52.030 DIVERSION PROGRAM.

The Sweet Home Municipal Court shall inform at arraignment a defendant charged with the violation of possession of less than one ounce of marijuana, that a diversion program may be available. If it is the first offense of defendant of possession of less than one ounce of marijuana and he/she files with the court a diversion agreement pursuant to policy of the Sweet Home Municipal Court then he/she is eligible to participate in the diversion program.

9.52.040 DRIVER'S LICENSE SUSPENSION.

The Sweet Home Municipal Court may order suspension of driving privileges after a person has been convicted of violation of this chapter pursuant to ORS 809.265.

PASSED by the Council and approved by the Mayor this 10th day of January, 2012.


Mayor

ATTEST:

City Manager - Ex Officio City Recorder