

ORDINANCE

POSSESSION OF MARIJUANA

AN ORDINANCE PROHIBITING CERTAIN ACTIVITIES MADE CRIMES UNDER WISCONSIN STATUTES.

The Board of Supervisors of Buffalo County do ordain the Possession of Marijuana Ordinance as follows:

I. POSSESSION OF MARIJUANA PROHIBITED.

It is unlawful for any person to possess 14 grams or less of marijuana as defined in s. 961.01(14), Wis. Stats., unless the marijuana was obtained directly from, or pursuant to a valid prescription or order of, a practitioner who is acting in the course of his or her professional practice as provided in s. 961.41(3g)(intro.), Wis. Stats., or unless the person is otherwise authorized by Chapter 961, Wis. Stats., to possession marijuana.

II. EXCEPTIONS

Any person who is charged with possession of more than 14 grams shall not be charged under this section. Any person who was previously or is currently charged with the possession of any amount of marijuana in the State of Wisconsin or any other jurisdiction that prohibits the possession of marijuana or tetrahydrocannabinol shall not be charged under this section. Any person convicted of any offense under Chapter 961 of the Wisconsin Statutes or in any other jurisdiction relating to controlled substances, including marijuana or any local ordinances regarding possession of controlled substances shall not be charged under this section.

III. PENALTY

Any person, firm, or corporation violating any provision of this Ordinance shall, upon conviction, be required to forfeit not less than \$100.00 nor more than \$500.00, together with the costs of the action.

IV. ENFORCEABILITY

This ordinance may be enforced by citation by any law enforcement agency in every municipality within Buffalo County.

V. STATUTES APPLICABLE

This ordinance shall in no way be deemed to supplant or otherwise invalidate any provision of State Statutes relating to the subject matter hereof. Any person

entrusted with the enforcement of this Ordinance may, in the exercise of his or discretion, proceed under applicable State Statutes.

VI. REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of ordinances previously enacted by the Buffalo County Board of Supervisors, Buffalo County, Wisconsin, in conflict with this Ordinance are hereby repealed.

VII. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication.

Submitted for adoption on _____ by the Buffalo County Law Enforcement Committee.

Corey Lewis

Ronald Helwig

John Bauer

Steven Weiss

John Kriesel