

ORDINANCE NO. G1196

AN ORDINANCE AMENDING TITLE II. PUBLIC HEALTH, SAFETY, AND WELFARE, OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS BY AMENDING CHAPTER 220 OFFENSES; ARTICLE V: OFFENSES AFFECTING FAMILY RELATIONSHIPS AND CHILDREN; SECTION 220.405: POSSESSION OF MARIJUANA.

WHEREAS, Junction City has recognized recent state changes to the penalties regarding the level of punishment for first and second time possession of marijuana.

WHEREAS, Junction City has recognized the importance in mirroring state law on the penalty provision of possession of marijuana.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

Section 1. SECTION 220.405 is amended to read as follows:

SECTION 220.405: - POSSESSION OF MARIJUANA

- A. Definitions. The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.
1. **MARIJUANA:** All parts of all varieties of the plant Cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant which is incapable of germination.
 2. **PERSON:** Any individual, corporation, business, trust, estate, partnership or association or other legal entity.
- B. Except as is otherwise authorized by law, it shall be unlawful for any person to possess or have under such person's control any marijuana.
- C. It shall not be a defense to charges arising under this Section that the defendant was acting in an agency relationship on behalf of any other party in a transaction or in the possession or control of marijuana.
- D. Violation of this Section is a:
1. Class B nonperson misdemeanor, except as provided in (D)(2);
 2. Class A nonperson misdemeanor if that person has a prior conviction under this section or under a substantially similar offense from another jurisdiction, including any city ordinance or county resolution.

Section 2. This ordinance shall become effective upon publication in the Junction City Daily Union as required by law.

PASSED AND ADOPTED THIS 19th DAY OF JULY, 2016.



MICK MCCALLISTER
Mayor

ATTEST:

Shawna Settles
City Clerk