

# City of Cincinnati

AEP *PBY*

## An Ordinance No. 324

- 2019

**MODIFYING** Chapter 910, "Public Order," by amending Section 910-23, "Possession of Marijuana," of the Cincinnati Municipal Code.

WHEREAS, on June 12, 2019, City Council passed new Section 910-23, "Possession of Marijuana," to ensure that those charged in the City of Cincinnati with the minor misdemeanor crime of possession of marijuana receive no penalty; and

WHEREAS, Council now wishes to protect minors by clarifying that persons under the age of 18 years old are not eligible to be charged with no penalty low-level marijuana possession under Section 910-23; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 910-23, "Possession of Marijuana," is hereby amended as follows:

### **Sec. 910-23. Possession of Marijuana.**

- (A) No person aged eighteen or over shall knowingly obtain, possess, or use marijuana, in an amount less than one hundred grams.
- (B) Whoever violates this section is guilty of possession of marijuana, a minor misdemeanor. Persons convicted of violating this section shall be fined \$0.00, provided that any such use of marijuana did not occur in a public place, defined for purposes of this section as places generally open to the public, including, but not limited to, sidewalks, streets, parks, and places of public accommodation.
- (C) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.
- (D) All court costs shall be \$0.00 for violations of this section herein.
- (E) The provisions of any part of this section are severable. If any provision or subsection hereof or the application thereof to any person or circumstances is held invalid, the other provisions, subsections, and applications of the section to other persons or circumstances shall not be affected thereby. It is declared

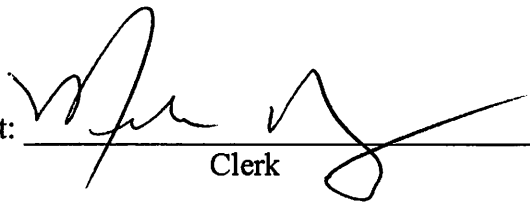
to be the intent of this section that the same would have been adopted had such invalid provisions, if any, not been included herein.

Section 2. That existing Section 910-23, "Possession of Marijuana," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2 hereof.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

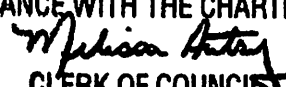
Passed: August 7, 2019

Attest:   
Clerk

\_\_\_\_\_  
John Cranley, Mayor

---

New language indicated by underline.

I HEREBY CERTIFY THAT ORDINANCE NO. 324-2019  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 8-20-2019  
  
CLERK OF COUNCIL