

BILL NO. 2792-19

ORDINANCE NO. 2752-19

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CAMDENTON TITLE II: PUBLIC HEALTH, SAFETY & WELFARE; CHAPTER 210: OFFENSES; ARTICLE XI: OFFENSES CONCERNING DRUGS AND ALCOHOL; BY AMENDING SECTION 210.1800: POSSESSION OF MARIJUANA OR SYNTHETIC CANNABINOID FOR COMPLIANCE WITH STATE AMENDMENT 2

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CAMDENTON, MISSOURI, AS FOLLOWS:

Section 1: That Section 210.1800 of the Camdenton City Code is hereby amended as outlined in Exhibits A attached hereto and made a part of this Ordinance.

Section 2. This Ordinance shall be in full force and effect immediately after its approval by the Board of Aldermen and approval by the Mayor.

Section 3. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Read the first time this 2 day of July 2019

Read the second time and passed and approved this 2 day of July 2019.

ATTEST:


Renée Kingston, CMC/MRCC, City Clerk

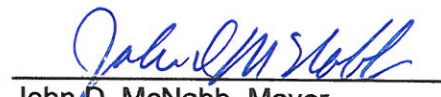

John D. McNabb, Mayor



EXHIBIT A

Chapter 210 – OFFENSES

Article XI – Offenses Concerning Drugs and Alcohol

Section 210.1800. Possession of Marijuana Or Synthetic Cannabinoid.

A. A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in Section 195.010 RSMO., if he/she knowingly possess marijuana or any synthetic cannabinoid, except as authorized by Chapter 579 or Chapter 195, RSMo or as permitted by provisions for medical marijuana.

B. Transportation and Possession – Medical Marijuana.

No person shall transport or possess marijuana for medical use within the city, except:

1. A Qualified Patient for the patient's own personal use, in an amount no large than the law allows, or
2. A Caretaker of a Qualified patient, or patients, but only when transporting the Medical Marijuana to a Qualified Patient or when accompanying a Qualified Patient or patients, or
3. An owner or an employee of a Medical Marijuana Facility within the enclosed building licensed as such, or when delivering directly to a Qualified Patient's or Caretaker's residence or another Medical Marijuana Facility.

C. Failure to Produce Medical Marijuana Identification

Any person who in possession of medical marijuana shall, immediately upon the request of any law enforcement officer, produce a valid permit issued by the Missouri Department of Health and Senior Services (or its successor) for such possession including, but not limited to, a Qualified Patient Identification Card, a Qualified Caretaker Card, or a similar card issued by another state. Any person who fails to produce such a permit upon request shall be guilty of the offense of failure to produce a medical marijuana permit. Conviction of this offense shall be punishable by a fine not to exceed fifty dollars (\$50.00).

D. Consumption of Medical Marijuana in Public.

1. No person shall administer medical marijuana in public.
2. As used in this section, the word 'administer' shall have the definition set forth in Article XVI Section 1 of the Missouri Constitution.
3. As used in this section, the phrase 'in public' shall mean any place other than:
 - a. The residence of the person administering medical marijuana or the residence of another person when the person in control of that property has consented to the administering of marijuana; or
 - b. A licensed medical facility with the consent of the person or persons in charge of that facility.

E. Disposal of Medical Marijuana

No person shall dispose of Marijuana or Marijuana-Infused products in an unsecured waste receptacle not in possession and control of the Licensee and designed to prohibit unauthorized access.

F. Residential Cultivation

1. To the extent allowed by State law, marijuana for medicinal purposes may be cultivated in a residential structure with a Patient Cultivation Identification Card issued by the Missouri Department of Health and Senior Services, provided:

EXHIBIT A

2. **The structure is the primary residence of a Qualifying Primary Caregiver or Qualifying Patient and the marijuana is grown solely for the use of the Qualifying Patient who resides there or who is under the care of the Qualifying Primary Caretaker.**
3. **The residence has operating systems to assure that the emission of fumes or vapors connected with the cultivation are not allowed out of the building, or if the residence is in a multifamily building, that such fumes and vapors are not allowed into any other residence.**
4. **The cultivation must comply with the security and other requirements of state law and the rules of the Division of Health and Senior Services.**

G. Residential Consumption.

Qualified Patients may consume medical marijuana in their private residence but may not dispense or smoke marijuana in such a manner that the marijuana smoke or odor, exits the residence. In a multi-family or similar dwelling, medical marijuana may not be dispensed or consumed in any common area.