

City of Newport

DRAFT

Ordinance #118

Sale and Distribution of Marijuana

Pursuant to the provisions of Title 18 § 4474l, Title 24 §§ 1971 et seq., Title 24 § 2291 and Title 24 App. § 7-23 of the Vermont Statutes Annotated, the City Council of the City of Newport, Vermont, for the purpose of promoting the public health, safety, welfare and convenience, does hereby ordain as follows:

Section 1. General Provisions and Definitions

- A. The purpose of this ordinance is to regulate the sale and dispensing of Marijuana within the City of Newport, Vermont.
- B. "Marijuana" shall have the same meaning as provided in 18 V.S.A. § 4201(15).
- C. "Dispensary" shall have the same meaning as provided in 18 V.S.A. § 4472(5).

Section 2. Prohibition on Sale or Distribution of Marijuana

- A. The sale or distribution of Marijuana, Marijuana-infused products like tinctures, oils, solvents and edible or potable goods, in the City of Newport, Vermont, is prohibited.
- B. The opening, operation or location of a Dispensary in the City of Newport, Vermont, is prohibited.

Section 3. Enforcement

Any violation of this ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau, except where otherwise indicated.

Violations enforced shall be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, the City Manager, Mayor, City Council member, a Law Enforcement officer or a duly authorized designee of the City Council shall be the designated enforcement officer(s).

Section 4. Penalties and Costs

- | | |
|--------------------------------|--|
| 1. First offense | \$500.00 full penalty/\$150.00 waiver penalty. |
| 2. Second offense | \$500.00 full penalty/\$250.00 waiver penalty. |
| 3. Third & subsequent offenses | \$500.00 full penalty. |

DRAFT

Section 5. Severability

If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

Section 6. Effective Date

This ordinance shall become effective 60 days after its adoption by the City Council. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Adopted at Newport City, Vermont this _____ day of _____, 2018.

NEWPORT CITY COUNCIL

Received and recorded this _____ day of _____, 2018.

James Johnson, City Clerk