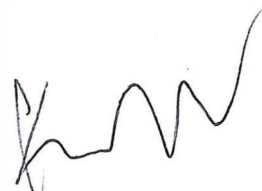


#39



**AN ORDINANCE BY COUNCILMEMBER KWANZA HALL**

**AN ORDINANCE AMENDING CHAPTER 106 SECTION 182, (POSSESSION OF MARIJUANA) OF THE CITY OF ATLANTA CODE OF ORDINANCES TO SO AS TO RECLASSIFY THE PENALTY FROM THE GENERAL PENALTY (SECTION 1-8); AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has an interest in maintaining the public safety and general welfare of citizens of the City of Atlanta and its visitors; and

**WHEREAS**, enforcement of Chapter 106 Section 182 Marijuana has fallen disproportionately on certain subsets of the population;

**WHEREAS**, O.C.G.A. § 36-32-6 grants municipal courts concurrent jurisdiction to try and dispose of cases wherein a person is charged with possession of one ounce or less of marijuana when such conduct occurs inside a municipality.

**WHEREAS**, it is the desire of the Atlanta City Council to reclassify the penalty from the general penalty to a non-jailable, citation only offense.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, AS FOLLOWS:**

**SECTION 1:** That Chapter 106, Article IV, Section 182 of the City of Atlanta Code of Ordinances shall be amended such that it shall read as follows (with permanent additions underlined in bold font and permanent deletions in strikeout font):

Sec. 106-182. – Marijuana.

It shall be unlawful for any person to possess one ounce or less of marijuana within the corporate limits of the city. Any person found guilty of violating this section shall be subject to a maximum fine of \$75 and not subject to confinement for any period of time ~~the penalty provided in section 1-8~~; provided that any defendant charged with possession of one ounce or less of marijuana shall be entitled on request to have the case against such defendant transferred to the court having general misdemeanor jurisdiction in the county wherein the alleged offense occurred.

**SECTION 2:** This ordinance shall become effective immediately upon approval.

**SECTION 3:** All ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict only.

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	<b>First Reading</b>	
	Committee _____	<b>FINAL COUNCIL ACTION</b>
	Date _____	<input type="checkbox"/> 2 <sup>nd</sup> <input type="checkbox"/> 1 <sup>st</sup> & 2 <sup>nd</sup> <input type="checkbox"/> 3 <sup>rd</sup>
	Chair _____	<b>Readings</b>
	Referred To _____	<input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote

<p style="text-align: center;"><b>AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AMENDING CHAPTER 106 SECTION 182, (POSSESSION OF MARIJUANA) OF THE CITY OF ATLANTA CODE OF ORDINANCES TO SO AS TO RECLASSIFY THE PENALTY FROM THE GENERAL PENALTY (SECTION 1-8); AND FOR OTHER PURPOSES.</b></p>	<b>Committee</b>	<b>Committee</b>	<b>CERTIFIED</b>
	Date	Date	
	Chair	Chair	
	Action Fav, Adv, Hold (see rev. side) Other	Action Fav, Adv, Hold (see rev. side) Other	
	Members	Members	
	Refer To	Refer To	

<input type="checkbox"/> <b>CONSENT REFER</b> <input type="checkbox"/> <b>REGULAR REPORT REFER</b> <input type="checkbox"/> <b>ADVERTISE &amp; REFER</b> <input type="checkbox"/> <b>1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ &amp; REFER</b> <input type="checkbox"/> <b>PERSONAL PAPER REFER</b> <hr/> Date Referred: 03-20-2017 Referred To: PUBLIC SAFETY <hr/> Date Referred: Referred To: <hr/> Date Referred: Referred To:	<b>Committee</b>	<b>Committee</b>	<b>MAYOR'S ACTION</b>
	Date	Date	
	Chair	Chair	
	Action Fav, Adv, Hold (see rev. side) Other	Action Fav, Adv, Hold (see rev. side) Other	
	Members	Members	
	Refer To	Refer To	