

ORDINANCE C-70-14

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 513 OF THE GROVE CITY CODIFIED ORDINANCES TITLED DRUG ABUSE CONTROL

WHEREAS, previously, the possession of less than 200 grams of marijuana constituted a misdemeanor of the fourth degree; and

WHEREAS, previously, the use or possession with purpose to use drug paraphernalia constituted a misdemeanor of the fourth degree; and

WHEREAS, the City desires to increase the penalty for the possession of less than 200 grams of marijuana to a misdemeanor of the first degree for the protection of the public health and safety for violations that occur on City owned property; and

WHEREAS, the City desires to increase the penalty for the use or possession with purpose to use drug paraphernalia to a misdemeanor of the first degree for the protection of the public health and safety for violations that occur on City owned property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Section 513.03(c)(3) is hereby amended, in part, as follows:

513.03 (C)(3)

A. Except as otherwise provided in the following divisions, if the amount of the drug involved is less than 200 grams, possession of marihuana is a misdemeanor of the fourth degree.

B. If the amount of the drug involved is less than 200 grams, and the violation occurs on City owned property, excluding roadways, possession of marihuana is a misdemeanor of the first degree.

C. If the amount of the drug involved equals or exceeds 200 grams, possession of marihuana is a felony to be prosecuted under appropriate state law.

SECTION 2. Section 513.15(d) is hereby amended, in part, as follows:

(d) (1) Except as otherwise provided in the following divisions, whoever violates division (a)(1) of this section is guilty of illegal use or possession of drug paraphernalia, a misdemeanor of the fourth degree.

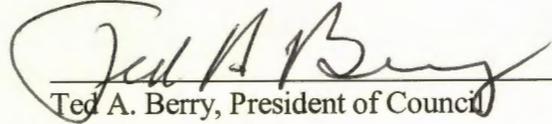
(2) Whoever violates division (a)(1) of this section and the violation occurs on City owned property, excluding roadways, is guilty of illegal use or possession of drug paraphernalia, a misdemeanor of the first degree.

~~(2)~~ (3) Except as provided in division (d) ~~(3)~~ (4) of this section, whoever violates division (a)(2) of this section is guilty of dealing in drug paraphernalia, a misdemeanor of the second degree.

~~(3)~~ (4) Whoever violates division (a)(2) of this section by selling drug paraphernalia to a juvenile is guilty of selling drug paraphernalia to juveniles, a misdemeanor of the first degree.

(4) (5) Whoever violates division (a)(3) of this section is guilty of illegal advertising of drug paraphernalia, a misdemeanor of the second degree.

SECTION 3. This ordinance shall take effect at the earliest opportunity allowed by law.

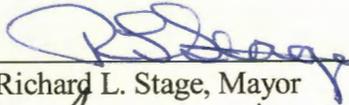


Ted A. Berry, President of Council

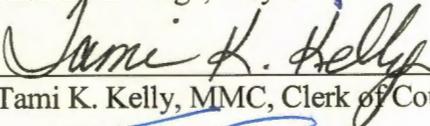
Passed: 12-01-14

Effective: 12-31-14

Attest:



Richard L. Stage, Mayor



Tami K. Kelly, MMC, Clerk of Council

I certify that this ordinance is correct as to form.



Stephen J. Smith, Director of Law