

ORDINANCE NO. 16-_____

AN ORDINANCE CREATING A NEW SECTION 210 (PERSONAL CULTIVATION OF MEDICAL MARIJUANA) OF PART 2 (OTHER DANGEROUS WEAPONS AND SUBSTANCES) OF ARTICLE 7 (DANGEROUS WEAPONS AND SUBSTANCES) OF CHAPTER 9 (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PERSONAL CULTIVATION OF MEDICAL MARIJUANA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 210 (Personal Cultivation Of Medical Marijuana) Of Part 2 (Other Dangerous Weapons And Substances) Of Article 7 (Dangerous Weapons And Substances) Of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, is created to read as follows:

9.7.210 Personal Cultivation of Medical Marijuana:

A. It shall be unlawful for any person to cultivate more than twelve (12) medical marijuana plants, with ½ or fewer being mature, flowering plants, in contravention of City Code section 7.3.105 (P).

B. As used in this section, "Marijuana plant" means all parts of the plant of the genus cannabis whether growing or not, including, but not limited to, immature and mature plants, and any seeds, leaves, stalks, and flowers, without regard for cannabinoid concentration levels.

C. Evidence: In addition to any other competent evidence identifying a substance as marijuana, results of the field test known as the "Duquenois-Levine Reagent System" shall be admissible in evidence and shall be prima facie evidence of whether or not the substance tested was marijuana.

Section 2. Any person convicted of violations of Section 210 (Personal Cultivation Of Medical Marijuana) of Part 2 (Other Dangerous Weapons and

Substances) of Article 7 (Dangerous Weapons and Substances) Of Chapter 9 (Public Offenses) Of the Code of the City of Colorado Springs 2001, as amended, shall be punished as provided in Sections 201 (General Penalty) and 202 (Minor Offenders) of Part 2 (General Penalty) of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs, 2001, as amended.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2016.

Finally passed: _____
_____ Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk