

Ordinance 4-2020  
Passed July 28, 2020

AN ORDINANCE TO REMOVE FINES AND COSTS FOR MINOR MISDEMEANOR MARIJUANA VIOLATIONS UNDER CHAPTER 138 OF THE PLYMOUTH CODE OF ORDINANCES AND TO REPEAL ANY SECTION OF VILLAGE ORDINANCES CONTRARY THERETO.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PLYMOUTH, COUNTY OF RICHLAND/HURON, STATE OF OHIO:

1. THAT the following marijuana violations, penalties and costs under Chapter 138 of the Plymouth Code of Ordinances are hereby adopted:
  - (a) No person shall knowingly obtain, possess, or use marijuana or a compound, mixture, preparation, or substance containing marijuana other than hashish, whoever violates this section is guilty of possession of marijuana. The penalty for the offense shall be determined as follows:
    - (1) If the amount of the drug involved is less than two hundred grams, possession of marijuana is a minor misdemeanor drug abuse offense. Persons convicted of violating this section shall be fined \$0.00.
  - (b) No person shall knowingly obtain, possess, or use hashish or a compound, mixture, preparation, or substance containing hashish, whoever violates this section is guilty of possession of hashish. The penalty for the offense shall be determined as follows:
    - (1) If the amount of the drug involved is less than ten grams of solid hashish or less than two grams of liquid hashish, possession of hashish is a minor misdemeanor drug abuse offense. Persons convicted of violating this section shall be fined \$0.00.
  - (c) No person shall knowingly cultivate or manufacture marijuana. The penalty for the offense shall be as follows:
    - (1) If the amount of the drug involved is less than two hundred grams, illegal cultivation of marijuana is a minor misdemeanor drug abuse offense. Persons convicted of violating this section shall be fined \$0.00.
  - (d) No person shall knowingly give or offer to make a gift of twenty grams or less of marijuana. The penalty for the offense shall be determined as follows:
    - (1) Whoever violates this section, anywhere inside village limits, is guilty of trafficking in marijuana, a minor misdemeanor drug abuse offense. Persons convicted of violating this section shall be fined \$0.00.
  - (e) No person shall possess, sell, manufacture or use marijuana or hashish paraphernalia. The penalty for the offense shall be as follows:
    - (1) Whoever violates this section shall be guilty of a minor misdemeanor drug abuse offense. Persons convicted of violating this section shall be fined \$0.00.
  - (f) All court costs shall be \$0.00 for violations of sections herein.
  - (g) Severability. The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections. Invalid sections shall be revised to the minimum extent necessary to maintain validity and enforceability.

(h) Definitions

- (1) "Marijuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marijuana" does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination; except that it does not include hashish.
  - (2) "Hashish" means the resin or a preparation of the resin contained in marijuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.
2. THAT any section contrary to this Ordinance within Chapter 138 of the Plymouth Code of Ordinances is repealed.
  3. THAT this Resolution shall be in full force and effect from and after the earliest period allowed by law.

PASSED: July 28, 2020

Cassandra Fryman  
Mayor

ATTEST: Diane Jomeisen  
Village Fiscal Officer

July 28, 2020  
Date

APPROVED AS TO FORM:

Jon K. Burton  
Jon K. Burton, Solicitor