

ORDINANCE Number: 24-06-037

Committee: Judiciary and Annexation

**AN ORDINANCE BANNING THE PURCHASE, POSSESSION,
TRANSPORTATION OR USE OF CANNABIS BY PERSONS UNDER THE AGE
OF TWENTY-ONE YEARS**

Now comes the council for the City of Van Wert, Ohio, after a duly appointed meeting of said council, and hereby makes the following ordinance.

WHEREAS Ohio Revised Code Section 3780.36(F) expressly prohibits individuals under twenty-one years of age from purchasing, possessing, using, processing, transporting, or cultivating cannabis except as authorized by Chapter 3796 of the Revised Code concerning the regulation of medical marijuana. Finding, however, the Ohio Revised Code fails to include an offense or corresponding penalty for said conduct, it is the desire of the council to exercise its legislative authority to provide for the same.

WHEREFORE, it shall be unlawful for any individual under twenty-one years of age to purchase, possess, use, process, transport, or cultivate marijuana, as that term is defined by Ohio Revised Code Section 3719.01(M), unless otherwise authorized to do so pursuant to Chapters 3780 and 3796 of the Ohio Revised Code.

Further Any person found in violation of this section shall be guilty of a misdemeanor of the fourth degree, punishable by up to thirty days in jail and a \$250 fine.

Be it **ORDAINED** by the Council of the City of Van Wert, Van Wert County, Ohio, with the majority of all the members concurring, to wit:

Section 1. That the within the City of Van Wert it shall be unlawful for any individual under twenty-one years of age to purchase, possess, use, process, transport, or cultivate marijuana, as that term is defined by Ohio Revised Code Section 3719.01(M), unless otherwise authorized to do so pursuant to Chapters 3780 and 3796 of the Ohio Revised Code.

Section 2. If any provision of this ordinance or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the provision or related provisions which can be given effect without the invalid provision or application, and to this end the provisions are severable.

Passed this _____ day of June, 2024.

Thad R. Eikenbary, President of Council

Attest: _____
Stephanie R. Phillips, Clerk of Council

Kenneth J. Markward, Mayor