



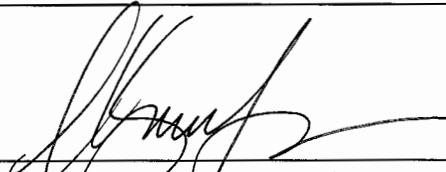
CITY OF AMESBURY
IN THE YEAR TWO THOUSAND SIXTEEN

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16 MAY -2 PM 2:44

AMESBURY CITY CLERK

SPONSORED BY:


Mayor C. Kenneth Gray

BILL No. 2016-046

An Ordinance Relative to Public Consumption of Marijuana or Tetrahydrocannabinol.

Summary: This ordinance proposes the prohibition of public consumption or use of marijuana or tetrahydrocannabinol on or in any place within City limits which is accessible to the public.

Be it Ordered by the City Council of the City of Amesbury assembled, and by the authority of the same as follows:

That the City Council hereby establishes the Ordinance entitled "Public Consumption of Marijuana or Tetrahydrocannabinol", as follows: No person shall smoke, ingest or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in **MGL c. 94C, §1**, as amended) while in or upon any street, sidewalk, public way, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot or any area owned by or under the control of the City; or in or upon any bus or any other passenger conveyance operated by a common carrier; or in any place which is accessible to the public.

Any person smoking, ingesting or otherwise using or consuming marijuana or tetrahydrocannabinol in violation of this ordinance shall provide to a police officer requesting personal identifying information, including, but not limited to his or her full legal name and address. Failure to provide such identifying information upon request, or provision of false, incorrect or otherwise invalid identifying information, shall be considered a separate violation of this ordinance.

This ordinance may be enforced through any lawful means in law or equity, including, but not limited to, enforcement by the issuance of a criminal complaint pursuant to **MGL c. 40, § 21**, or by non-criminal disposition pursuant to **MGL c. 40, § 21D**, by the Mayor or his duly authorized agent or by any police officer. The fine for violation of this ordinance shall be \$300.00 for each offense. Any penalty imposed under this ordinance shall be in addition to any civil penalty imposed under **MGL c. 94C, §32L**.

All marijuana consumed or being used in violation of this ordinance shall be seized and safely held until final adjudication of the charge against the person arrested or summonsed before the Court, at which time it shall be destroyed in accordance with **MGL c. 94C, §47A**.