

(1) PURPOSE. The people of Milwaukee specifically determine that the regulations herein contained concerning marijuana and cannabis are necessary to serve the ethical purpose of providing just and equitable legal treatment of the citizens of this community and to preserve the respect of such citizens for law, its process, and its administration.

(2) DEFINITIONS. In this section, "marijuana" and "practitioner" shall be defined as in s. 961.01(14) and (19), Wis. Stats., respectively. The following definitions are added.

Casually possess. The possession of not more than four (4) ounces of marijuana.

Public place. A place which is in public ownership or a place to which the public has access; distinguished from a private place.

(3) ALLOWED A person may casually possess, use, or exchange marijuana in a private place. Such casual possession, use, or exchange of marijuana is not a crime and is not subject to forfeiture.

(4) PROHIBITED No person shall casually possess marijuana in a public place unless such marijuana was obtained directly from or pursuant to a valid prescription or order of a practitioner while acting in the course of her, his, or its professional practice or except as authorized by ch. 961, Wis. Stats.

(5) PENALTY Any person violating this section shall upon conviction:

a. Forfeit not more than \$5

b. Be permitted to perform community service work and attend substance abuse education and counseling in lieu of paying the forfeiture under par. a

(6) APPLICABILITY This section applies to both first time and subsequent offences. This section applies to any person who is charged with possession of up to four (4) ounces of marijuana. This section also applies to any person who has been previously convicted of possession of any amount of marijuana in this state.

(7) VIOLATIONS NOT A CRIME Violations of this ordinance are not a crime and shall not subject a person found in violation thereof to loss of civil rights or to other disabilities imposed upon a person convicted of a crime. No entry or other record may be made which indicates that a person alleged or found to have violated this ordinance has been arrested for, charged with, prosecuted for, or convicted of a crime.

(8) SEPARABILITY CLAUSE. If any subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.