

ORDINANCE NO. 49-936 220228

AN ORDINANCE PURSUANT TO K.S.A. 12-3013, SUBMITTING THE QUESTION OF PASSAGE OF AN ORDINANCE REDUCING THE CRIMINAL PENALTIES FOR POSSESSION OF MARIJUANA BY THE CITY OF WICHITA TO THE VOTERS OF THE CITY OF WICHITA, ESTABLISHING THE BALLOT QUESTION AND CALLING FOR A NON-PARTISAN SPECIAL ELECTION.

WHEREAS, on January 7, 2015, a petition, pursuant to K.S.A. 12-3013, was submitted to the City Clerk proposing passage of an ordinance of the City of Wichita which would reduce the criminal penalty for possession of marijuana and marijuana paraphernalia.

WHEREAS, on January 14, 2015, the Sedgwick County Elections Office verified that a sufficient number of signatures were contained on the petition filed with the City Clerk to require the City Council to consider the proposed ordinance.

WHEREAS, the City Council has heard public comment regarding the proposed ordinance and finds that the issue should be submitted to a vote of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA:

SECTION 1. Pursuant to K.S.A. 12-3013, after careful and thoughtful consideration of the proposed ordinance, the City Council determines that it is in the public's interest to submit this question to a vote of the citizens of the City of Wichita.

SECTION 2. Ballot Question. The ballot question shall read as follows:

Ballot Question:

SHALL THE FOLLOWING BE ADOPTED?

An ordinance reducing the penalty for first offense conviction for possession of thirty-two (32) grams or less of cannabis sativa L, otherwise known as marijuana,

and/or drug paraphernalia related thereto, by persons twenty-one (21) years of age or older, to an infraction with a fine not to exceed fifty dollars (\$50.00).

YES _____ NO _____

SECTION 3. Notice and Call of Election.

A. Pursuant to K.S.A. 12-3013, the Wichita City Council hereby gives notice of and calls for a non-partisan special election to be held in the City of Wichita, Kansas on April 7, 2015 to submit to the qualified voters of the City the question of whether the proposed ordinance should be adopted.

B. Such election shall be conducted by the Sedgwick County Election Commissioner and held in the manner and in accordance with the laws of the State of Kansas, including but not limited to K.S.A. 25-2601 et seq.

C. Only the qualified electors registered to vote under the laws of the State of Kansas, in the City of Wichita, Kansas, may vote on the question as set forth; and the question must be approved by a majority of the voters thereon at the election.

SECTION 4. Publication. The City Clerk is hereby directed to publish this ordinance on March 24, 2015 and March 31, 2015 in the official City newspaper.

PASSED by the governing body on this 3rd day of February, 2015.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Sharon L. Dickgrafe
Interim City Attorney