

STATE OF GEORGIA

CITY OF SOCIAL CIRCLE

ORDINANCE NO. ORD-2021-4

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SOCIAL CIRCLE, GEORGIA, CHAPTER 9 GENERAL OFFENSES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Social Circle, Georgia is the Mayor and Council thereof; and

WHEREAS, Mayor and Council desire to clarify the language found in Section 9-3-Marijuana Possession;

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SOCIAL CIRCLE, GEORGIA AS FOLLOWS:

Section 1. That Section 9-3, Chapter 9 of the City Code is hereby deleted in its entirety and replaced with the following:

“Sec. 9-3. - Marijuana possession.

(a) The purpose of this section is to provide the city court with jurisdiction to try and dispose of cases in which a person is charged with possession of marijuana, which possession is of one ounce or less.

(b) It shall be unlawful for any person to possess one ounce or less of marijuana within the corporate limits of the City of Social Circle.

(c) Any person who is charged with possession of marijuana, which possession is of one ounce or less, within the city shall have his case heard in the city court. However, any defendant charged with possession of one ounce or less of marijuana shall be entitled on request to have the

case against such defendant transferred to the court having general misdemeanor jurisdiction in the county wherein the alleged offense occurred.

(d) Every person convicted of possession of marijuana, which possession is of one ounce or less, or who pleads guilty or nolo contendere to such offense, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than 365 days or by both such fine and imprisonment.”

Section 2. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Social Circle.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional

or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.


SO ORDAINED this 16th day of March 2021.


David L. Keener, Mayor

ATTEST:


Susan M. Roper, City Clerk

APPROVED AS TO FORM:


Anthony O. L. Powell, City Attorney
Powell & Edwards

Adopted by the City Council at a regular called meeting on March 16, 2021.

- 3 Council members voting in favor
- 0 Council members voting against
- 0 Council members abstaining