

ORDINANCE NO. 7 OF 2021

BE IT ORDAINED by the Town of Port Barre, Louisiana, duly convened in regular session on the 2nd day of November, 2021, that Ordinance No. 7 of 2021 is now enacted, to read as follows:

- A. It shall be unlawful for any person to knowingly or intentionally possess marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids as defined in La. R.S. 40:964, Schedule I, unless such substance was obtained directly or pursuant to a valid prescription or order from a practitioner, or as provided in La. R.S. 40:1046.1, while acting in the course of his professional practice, or as otherwise authorized by law.
- B. Whoever violates the provisions of this section shall not be taken into custody by the arresting officer, but instead shall be required either to deposit his driver's license with the arresting officer or give written promise to appear.
- C. Whoever is found guilty of possession of marijuana, tetrahydrocannabinol, or chemical derivatives shall be punished as follows:
 - 1. A conviction for a violation of this section, wherein the offender possesses fourteen (14) grams or less, the offender shall be fined not more than one hundred dollars (\$100.00).
 - 2. A conviction for a violation in this section, wherein the offender possesses more than fourteen (14) grams, the offender shall be fined not more than five hundred dollars (\$500.00), imprisoned in the parish jail for not more than six (6) months, or both.
- D. Whoever is found guilty of possession of synthetic cannabinoids shall be fined not more than five hundred dollars (\$500.00), imprisoned for not more than six (6) months, or both.
- E. Any person who has been sentenced under the provisions of this section, shall not have the conviction used as a predicate conviction for enhancement purposes as a habitual offender.

BE IT FURTHER ORDAINED by the Board of Aldermen for the Town of Port Barre, Louisiana, duly convened in regular session on the 2nd day of November, 2021, that the provisions of this ordinance are hereby declared to be severable, and if any provision, word, phrase, or clause of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the validity of the remaining portions thereof.