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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **06/30/2006 - 07/07/2006**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: \_\_\_\_\_

*Julia Ketchum*

**JUL 7 2006**



*Tana Ciccotti*

**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1306 NOTICE IS HEREBY GIVEN THAT: Bill No. 1485, Ordinance No. 1306 entitled: AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY PROHIBITING THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA; PROVIDING CRIMINAL PENALTIES FOR POSSESSION THEREOF; PROVIDING THAT FINES IMPOSED FOR THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA MUST BE DEPOSITED IN A SPECIAL ACCOUNT IN THE COUNTY GENERAL FUND; PROVIDING THAT THE MONEY IN THE ACCOUNT MUST ONLY BE DISBURSED AT THE DIRECTION OF A COURT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. was adopted on June 27, 2006 by Commissioners Galloway, Humke, Larkin, Sferrazza, and Weber. This ordinance shall be in full force and effect from and after July 7, 2006. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street Reno, Nevada, and can be found on the County Clerk's website, [www.washoecounty.us/clerks](http://www.washoecounty.us/clerks). AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 274041 June 30; July 7, 2006

SUMMARY: Amends Washoe County Code by prohibiting possession of one ounce or less of marijuana; providing criminal penalties for possession thereof; providing that fines imposed for possession of one ounce or less of marijuana must be deposited in special account in County General Fund; providing that money in account must only be disbursed at direction of court; and providing other matters properly relating thereto.

BILL NO. 1485

ORDINANCE NO. 1306

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY PROHIBITING THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA; PROVIDING CRIMINAL PENALTIES FOR POSSESSION THEREOF; PROVIDING THAT FINES IMPOSED FOR THE POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA MUST BE DEPOSITED IN A SPECIAL ACCOUNT IN THE COUNTY GENERAL FUND; PROVIDING THAT THE MONEY IN THE ACCOUNT MUST ONLY BE DISBURSED AT THE DIRECTION OF A COURT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 53 of the Washoe County Code is hereby amended by adding thereto a new section which shall read as follows:

53.185 Possession of one ounce or less of marijuana prohibited; penalties.

1. As used in this section:

- (a) "Marijuana" has the meaning ascribed to it in NRS 453.096.
- (b) "Court" means a justice court in Washoe County in which a fine is imposed for a violation of subsection 2 of this section.

2. A person shall not knowingly or intentionally possess one ounce or less of marijuana unless the marijuana was obtained directly from, or pursuant to, a prescription of a physician, osteopathic physician's assistant, physician's assistant, dentist, podiatric physician, optometrist, advanced practitioner of nursing or veterinarian while acting in the course of his

professional practice, or except as otherwise authorized by the provisions of NRS 453.005 to 453.552, inclusive.

3. A person who violates the provisions of subsection 2 of this section is guilty of a misdemeanor and upon conviction shall be punished:

- (a) For the first offense:
  - (1) By a fine of not more than \$600.00 or
  - (2) Shall be examined by an approved facility for the treatment of abuse of drugs to determine whether he is a drug addict and is likely to be rehabilitated through treatment and, if the examination reveals that he is a drug addict and is likely to be rehabilitated through treatment, assigned to a program of treatment and rehabilitation pursuant to NRS 453.580.
- (b) For the second offense:
  - (1) By a fine of not more than \$1,000.00 or
  - (2) Shall be assigned to a program of treatment and rehabilitation pursuant to NRS 453.580.

4. Fines imposed by a court pursuant to subsection 3 of this section shall be remitted monthly to the County Treasurer and shall be placed in a special account. Money in the account may only be disbursed when requested by the court and must be evenly allocated by the Treasurer among:

- (a) Nonprofit programs for the treatment of abuse of alcohol or drugs that are certified by the Health Division of the Department;
- (b) A program of treatment and rehabilitation established by a court pursuant to NRS 453.580, if any; and
- (c) Local law enforcement agencies, in a manner determined by the court.

SECTION 2.     Repeal of prior resolutions. All prior resolutions adopted or enacted by the board which are in conflict with the provisions of SECTION 1 are hereby repealed.

SECTION 3.     Effective date. Section 1 of this ordinance shall be effective on and after the date specified in subsection 2 of NRS 244.100.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it

directly restrict the formation, operation or expansion of a business.]

Proposed on the 13<sup>th</sup> day of June, 2006.

Proposed by Commissioner HUMKE

Passed on the 27<sup>th</sup> day of June, 2006.

Vote:

Ayes: LARKIN, Weber, Humke, GALLOWAY, Sferrazza

Nays: none

Absent: none



Chairman

Washoe County Commission

ATTEST:

  
County Clerk

This ordinance shall be in full force and effect from and after the 7th day of July, 2006.