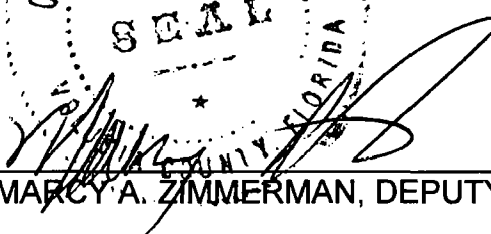


STATE OF FLORIDA
COUNTY OF VOLUSIA

I, JAMES T. DINNEEN, County Manager and Clerk to the County Council of Volusia County, Florida, do hereby certify that the attached and foregoing ORDINANCE 2016-06 is a true and correct copy of that certain Ordinance as adopted by the County Council of Volusia County, Florida, at its meeting held on March 03, 2016.

WITNESS my hand and official seal at DeLand, Volusia County, Florida, this 3rd day of March, A.D. 2016.

BY:  MARCY A. ZIMMERMAN, DEPUTY CLERK



JAMES T. DINNEEN
COUNTY MANAGER AND CLERK TO THE
COUNTY COUNCIL OF VOLUSIA COUNTY,
FLORIDA

ORDINANCE 2016-06

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA BY AMENDING CHAPTER 78 OFFENSES AND MISCELLANEOUS PROVISIONS BY CREATING SECTION 78-3 TO PROHIBIT POSSESSION OF CANNABIS AND DRUG PARAPHERNALIA IN UNINCORPORATED COUNTY; BY AMENDING CHAPTER 20 BEACH CODE, ARTICLE IV CONDUCT, TO CREATE SECTION 20-128 PROHIBITING POSSESSION OF CANNABIS AND DRUG PARAPHERNALIA ON THE ATLANTIC OCEAN BEACH; PROVIDING FOR SEVERABILITY; BY PROVIDING FOR CONFLICTING ORDINANCES; AUTHORIZING INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA AS FOLLOWS:

(Words in ~~strike-through~~ type are deletions; words in underscore type are additions.)

SECTION I: Chapter 78 of the Code of Ordinances, County of Volusia is amended to read as follows:

Section 78-3. Possession of Cannabis and Drug Paraphernalia.

(a) Prohibitions. It shall be unlawful for any person to possess 20 grams or less of cannabis as defined in F.S §893.02(3), or its successor, or drug paraphernalia as defined in F.S. §893.145, or its successor.

(b) Jurisdiction. This section shall be applicable only within the unincorporated areas of the county and as provided in Chapter 20 of this code.

(c) Penalty. Violations of this section are punishable as provided in section 1-7.

SECTION II: Chapter 20, article IV, section 20-128, of the Code of Ordinances, County of Volusia is amended to read as follows:

1 **Section 20-128. Possession of Cannabis and Cannabis Paraphernalia.**

2 It shall be unlawful for any person to possess 20 grams or less of cannabis as defined in F.S.
3 §893.02(3), or its successor, or drug paraphernalia as defined in F.S. §893.145, or its successor.

4 **SECTION III: AUTHORIZING INCLUSION IN CODE** - The provisions of this ordinance
5 shall be included and incorporated into the Code of Ordinances of the County of Volusia, as additions or
6 amendments thereto, and shall be appropriately renumbered to conform to the uniform numbering
7 system of the code.

8 **SECTION IV: SEVERABILITY** - Should any word, phrase, sentence, subsection or section be
9 held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that
10 word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other
11 words, phrases, sentences, subsections, or sections shall remain in full force and effect.

12 **SECTION V: CONFLICTING ORDINANCES** - All ordinances, or part thereof, in conflict
13 herewith are, to the extent of such conflict, repealed.

14 **SECTION VI: EFFECTIVE DATE** – This Ordinance shall take effect April 1, 2016.

15 ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN
16 MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE THOMAS C.
17 KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA,
18 THIS 3RD DAY OF MARCH A.D., 2016.

19
20
21 ATTEST:

22
23
24
25
26 James P. Dinneen, County Manager

COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA

Jason P. Davis, County Chair