



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Law

To: City Council

From: City Manager & Staff

Council Meeting Date: June 20, 2023

Re: Authorizing Amendments to Chapter 16 - Adult Use Marijuana Regulations

## Executive Summary

An ordinance has been prepared to amend Chapter 16 of the City Code related to offenses within the City by repealing and replacing Division 23 of Article II, which regulates marijuana use and consumption. This ordinance will ensure the City Code offenses and enforcement thereof are in compliance with the Constitutional amendments enacted by Missouri voters.

## Discussion

On November 8, 2022, the voters of Missouri approved Amendment 3 to the Missouri Constitution that contained revisions to Section 1 of Article XIV relating to medical marijuana and added a new Section 2 legalizing recreational adult use of marijuana. Section 2 of the Constitutional amendment legalizes the possession and consumption of marijuana for people 21 years of age and older and establishes a framework for the possession, consumption and cultivation adult-use marijuana.

Chapter 16 of the Columbia City Code regulates the personal use and medical use of marijuana for adults. By voter initiative, the City of Columbia had previously declared the use of medical marijuana recommended by a physician for seriously ill adults to not be subject to prosecution and limited the scope of prosecution for possession of less than 35 grams of marijuana. However, Amendment 3 to the Constitution goes further by legalizing the adult possession and use of up to 3 oz. of marijuana along with the cultivation of a limited number of marijuana plants and other marijuana activities that were previously unlawful within the State of Missouri.

The amendments proposed will modify the City Code provisions to ensure the provisions of the City Code do not conflict with Amendment 3 to the Constitution. Because the Constitutional amendment is more comprehensive than the 2004 Columbia Initiative, the existing provision of the City Code related to marijuana will be deleted and replaced with sections that conform to the new Constitutional amendment.

## Fiscal Impact

Short-Term Impact: Not applicable

Long-Term Impact: Not applicable



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## Strategic & Comprehensive Plan Impact

### [Strategic Plan Impacts:](#)

Primary Impact: Safe Neighborhoods, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

| Date      | Action  |
|-----------|---|
| 11/2/2004 | Marijuana Initiative passed by the voters in City of Columbia |

## Suggested Council Action

Approve the proposed revisions to Division 23 of Article II of Chapter 16 to establish new adult use marijuana regulations as authorized by the Article XIV of the Missouri Constitution.