

ORDINANCE NO. 827

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA TO REPEAL AND REPLACE TITLE 9, CHAPTER 08, SECTIONS 010 and 020 OF THE SONORA MUNICIPAL CODE CONCERNING:

“The Unlawful Public Possession and Consumption of Alcoholic Beverages and the Public Use, Consumption, or Smoking of Marijuana.”

The City Council of the City of Sonora, California, does hereby ordain as follows:

Section 9.08.010, adopted via Ordinance 778 in 2007, is hereby repealed and replaced with the following language:

1. Except as authorized by City permit or by the preapproval of the City Council, it shall be unlawful for any person to (1) drink, consume, or possess an open container of any alcoholic beverage or intoxicating liquor or (2) use, consume, or smoke marijuana in or upon any of the following places in the City of Sonora:
 - 1.1 Any public street or alley;
 - 1.2 Any public park as defined at Section 9.04.045
 - 1.3 Any public parking lot;
 - 1.4 Any public sidewalk;
 - 1.5 Any grounds of public buildings;
 - 1.6 Dragoon Gulch Trail;
 - 1.7 Any City of Sonora Cemetery as defined at Section 9.04.045; or
 - 1.8 Any private buildings or lands that are open to the public.

Section 9.08.020, which was adopted via Ordinance 461 in 1974, is hereby repealed and replaced with the following language:

1. Except as otherwise provided in this Code, the violation of any provision of this Section shall constitute an infraction punishable by:
 - 1.1 A fine not exceeding one hundred dollars (\$100.00) for a first violation
 - 1.2 A fine not exceeding two hundred and fifty dollars (\$250.00) for a second violation of the same ordinance within ninety (90) calendar days of the First Offense.

1.3 If any provision of this Section shall be violated a third or more times within six months of the original violation, each such violation shall constitute a misdemeanor.

1.3.1 Any person convicted of a misdemeanor under the provisions of the Sonora Municipal Code shall be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment in the County Jail of the County of Tuolumne for a period of not more than one (1) year, or by both such fine and imprisonment.

Pursuant to Government Code section 36937, subdivision (a), this Ordinance shall take effect thirty (30) calendar days after its final passage by the Sonora City Council.

Publication shall occur within fifteen calendar days after its final passage as mandated by Government Code section 36933.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Sonora, California, on May 4, 2015, and passed and adopted as an Ordinance of said City at a regular meeting of said City Council on May 18, 2015, by the following vote:

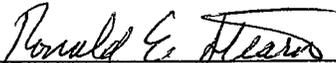
AYES: Ron Stearn, Connie Williams, Bill Canning,
George Segarini, Jim Garaventa

NOES: None

ABSENT: None

ABSTENTIONS: None

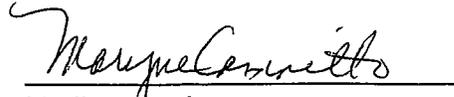
Signed and Approved on: May 18, , 2015



Ronald E. Stearn
Mayor
City of Sonora

Attestation:

Date: 5/18/15



Marijane Cassinetta
City Clerk
City of Sonora

Approved as to Form:



Byron Smith
City Attorney
City of Sonora

Date of Publication: May 27, 2015