

1134C  
08/15/91

## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4281

AN ORDINANCE regarding marijuana possession; and  
amending Bellevue City Code 10A.90.100.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS  
FOLLOWS:

Section 1. Section 25 (part) of Ordinance No. 3516, and Bellevue  
City Code 10A.90.100, are amended to read as follows:

## 10A.90.100 Marijuana - Possession - Penalty

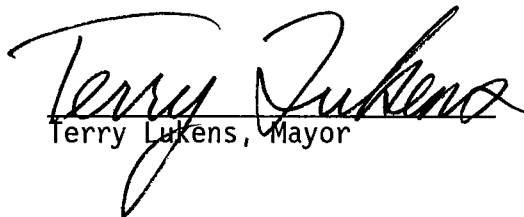
It is unlawful for any person to possess forty grams or less of marijuana. Any person convicted under this section of possession of forty grams or less of marijuana is guilty of a misdemeanor and shall be punished by imprisonment for not less than twenty-four consecutive hours, and by a fine of not less than two hundred fifty dollars. On a second or subsequent conviction, the fine shall not be less than five hundred dollars. These fines shall be in addition to any other fine or penalty imposed. Unless the court finds that the imposition of the minimum imprisonment will pose a substantial risk to the defendant's physical or mental well-being or that local jail facilities are in an overcrowded condition, the minimum term of imprisonment shall not be suspended or deferred. If the court finds such risk or overcrowding exists, it shall sentence the defendant to a minimum of forty hours of community service. If a minimum term of imprisonment is suspended or deferred, the court shall state in writing the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. Unless the court finds the person to be indigent, the minimum fine shall not be suspended or deferred.

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Section 2. This ordinance shall take effect and be in force thirty days after enactment by the City Council.

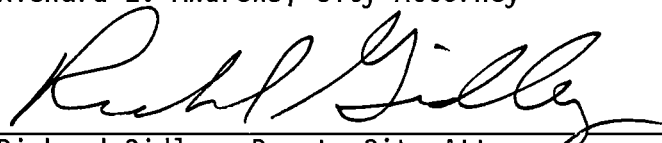
PASSED by the City Council this 9<sup>th</sup> day of September 1991, and signed in authentication of its passage this 9<sup>th</sup> day of September 1991.

(SEAL)

  
Terry Lukens, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
Richard Gidley, Deputy City Attorney

Attest:

  
Marie K. O'Connell, City Clerk

Published September 13, 1991