



## Legislation Details (With Text)

**File #:** 62422      **Version:** 1      **Name:** Definition of cannabis  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/30/2020      **In control:** Attorney's Office  
**On agenda:** 11/17/2020      **Final action:** 11/17/2020  
**Enactment date:** 12/4/2020      **Enactment #:** ORD-20-00111

**Title:** Amending Subsection (1) of Section 23.05 of the Madison General Ordinances to create a definition of cannabis and cannabis derivative and includes these terms in the definition of smoke-free and smoking.

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**Indexes:**

**Code sections:**

**Attachments:**

| Date       | Ver. | Action By                      | Action  | Result |
|------------|------|--------------------------------|---|--------|
| 11/17/2020 | 1    | COMMON COUNCIL                 | Adopt   | Pass   |
| 10/14/2020 | 1    | PUBLIC SAFETY REVIEW COMMITTEE | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |        |
| 10/6/2020  | 1    | COMMON COUNCIL                 | Refer   | Pass   |
| 9/30/2020  | 1    | Attorney's Office              | Referred for Introduction                         |        |

**Fiscal Note**

No fiscal impact.

**Title**

Amending Subsection (1) of Section 23.05 of the Madison General Ordinances to create a definition of cannabis and cannabis derivative and includes these terms in the definition of smoke-free and smoking.

**Body**

DRAFTER'S ANALYSIS: This ordinance creates a definition of cannabis and cannabis derivative. The ordinance adds the terms cannabis and cannabis derivative to the definition of smoke-free and smoking, thereby prohibiting the smoking of cannabis in any place where smoking of other products and devices are prohibited.

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The Common Council of the City of Madison do hereby ordain as follows:

Subsection (1) entitled "Definitions" of Section 23.05 entitled "Smoking Prohibited in Certain Areas" of the Madison General Ordinances is amended by amending and creating the following:

“Cannabis” means all parts of the plants in the genus cannabis, whether growing or not; the seeds thereof; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds. It does not include marijuana derivatives or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, fiber, oil, or cake, or the sterilized seed of the plant that is incapable of

germination. It does not include hemp or synthetic chemical cannabinoids.

"Cannabis derivative" means any substance derived from plants in the genus cannabis that has a delta-9 tetrahydrocannabinol (THC) concentration of more than 0.3 percent per volume or weight. It does not include hemp or synthetic chemical cannabinoids.

"Smoke-free" means absence from the ambient air of the smoke by-product from the burning, inhaling, exhaling, or carrying of a lighted cigarette, cigar, pipe, weed, plant, cannabis or cannabis derivative, or other combustible substance in any manner in any form.

"Smoking" means to smoke or carry a lighted pipe, cigar, cigarette, cannabis or cannabis derivative, or tobacco-related products in any form. Smoking also includes the use of an electronic delivery device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device."