

TITLE 21: MEDICAL AND RECREATIONAL MARIJUANA USE

21. Medical and Recreational Marijuana Use

21.01.00 Title

This Code shall be known as the
Marijuana Legalization Code

21.01.020 Statutory Authorization

Pursuant to Resolution 2020-062
legalizing the use of marijuana on the
Chehalis Resolution, this Code establishes
the parameters of such use for medical and
recreational purposes on the Reservation.

21.01.030 Definitions

- a) Medical Purposes shall mean use by an individual on Reservation pursuant to a written authorization from a doctor or other medical professional whether issued on the Reservation or in the State of Washington.
- b) Recreational use shall mean use by an individual other than as authorized by a doctor or other medical professional.
- c) Use shall mean smoking or ingesting marijuana or marijuana infused products in private locations on trust or fee land within the Chehalis Reservation.
- d) Private locations / private property shall mean locations other than those public locations visited for commercial or other purposes including without limitation private homes and fee or trust lands not owned or held for the benefit of the Chehalis Tribe.
- e) Public locations shall mean any property owned or operated by or leased from the Chehalis Tribe, including without limitation any Gaming Facility, Hotel, restaurant,

brewery, distillery, truck stop, commercial retail location, parking garages, parking lots, government buildings, clinics or other medical facilities, bars, public parks or spaces, public concerts, other public events or raw land, whether fee or trust.

21.01.040 Age Limitation

Individuals must be 21 years old or older to purchase, consume or be in possession of marijuana or marijuana infused products.

21.01.050 Motor Vehicle Use

- a) No individual 21 years of age or older shall operate or have actual physical control of a motor vehicle of any sort, including without limitation, cars, trucks, off road vehicles or rv's if he / she / they are under the influence of marijuana having more than 5 nanograms of active THC per milliliter of blood.
- b) No individual under the age of 21 shall operate or have actual physical control of a motor vehicle of any sort, including without limitation cars, trucks, off road vehicles or rv's with any amount of THC in his / her / their blood.

21.01.060 Test for Being Under the Influence

- a) The Chehalis Tribal police are authorized to detain, test and / or take for testing any individual who may have violated the provisions of this Ordinance for a test approved for determining THC illegal usage by any recognized testing means, including without limitation, any breathalyzer or blood draw procedure on site for breathalyzer, or at the Public Safety Building or the Tribe's Clinic for the blood test.

b) To the extent that a search warrant is required for either of the remedies / tests set forth in 21.01.060(a), then the Police Department is authorized to request and receive such a search warrant.

21.01.070 Penalties for Violation of this Ordinance

CTC 4.20.010 and 4.20.020 and the penalties associated therewith are hereby incorporated herein and become a part of this CTC 21.

21.01.080 Regulatory Oversight

The Regulatory Oversight of this Ordinance shall be vested in the Marijuana Regulatory Commission created under separate Ordinance.