

ORDINANCE 12-13

AN ORDINANCE RELATING TO DRUG PARAPHERNALIA AND PROVIDING PENALTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. Sections 48.02 and 48.03 of the Code of Ordinances are amended by deleting the same and inserting in lieu thereof the following:

48.02 CONTROLLED SUBSTANCE DEFINED. The term “controlled substance” as used in this chapter is defined as the term “controlled substance” is defined in the Uniform Controlled Substance Act, Chapter 124 of the Code of Iowa, as it now exists or is hereafter amended and shall also include simulated and counterfeit substances, Salvia, Divinorum, Salvinorin A, as well as synthetic catinones, synthetic cannabinoids and their analogues or homologues.

48.03 DRUG PARAPHERNALIA DEFINED. The term “drug paraphernalia” as used in this chapter means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa. It includes, but is not limited to:

1. Growing Kits. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.
2. Processing Kits. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.
3. Isomerization Devices. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance.
4. Testing Equipment. Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.
5. Scales. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances.
6. Diluents and Cutting Agents. Diluents and adulterants, such as quinine hydrochloride, inositol powder, dextrose, fentanyl or any other powder, chemical or

substance used to enhance or dilute the potency or amount of any controlled substance.

7. Separators, Sifters and Filters. Separation, sifting or filtering apparatus designed to assist in the manufacturing or refining of any controlled substance or any component of a controlled substance.

8. Mixing Devices. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances.

9. Containers. Any container or other object used, intended for use, or designed for use in storing, packaging or concealing controlled substance, to include but not be limited to capsules, plastic bags and containers, envelopes, clothing and clothing accessories, manufactured "false interior" objects, or any other container or object where a controlled substance is found..

10. Injecting Devices. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.

11. Ingesting-Inhaling Device. Objects used, intended for use, or designed for use in ingesting, inhaling, snorting or otherwise introducing any controlled substance into the human body, such as:

A. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, filter and bowls;

B. Water, Chamber, carburetor, and Air driven pipes;

C. Smoking and carburetion masks;

D. Roach clips and similar objects, meaning objects used to hold burning materials, such as marijuana cigarettes;

E. Spoons and stirrers or any other utensil used to hold or mix controlled substances before, after or during their use;

F. Chilliums, Bongs, Ice Pipes and Chillers;

G. Rolling papers or cigar wrappers used to contain any controlled substance;

H. Tubes, whether plastic, paper, metal or otherwise which are used in snorting any controlled substance.

12. Huffing Device. Pressurized containers used, but not intended for such use, to ingest, inhale, or otherwise introduce products, chemicals, or aerosols into the human body.

Section 2. This Ordinance shall be in full force and effect from and after its passage and publication as by law provided. Violations of

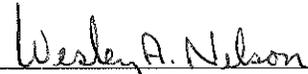
this Ordinance shall be punished as provided in section 1.06 of the Code of Ordinances.

Passed and approved this 17th day of May, 2012.



Snooks Bouska, Mayor

ATTEST:



Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, Iowa certifies that the Ordinance Summarized shown immediately above was published in the Marion Times on the 24th day of May, 20 12.

Wesley A. Nelson/ci
City Clerk