

CHAPTER 49

CONTROLLED SUBSTANCE PRECURSORS

49.01 Controlled Substance Precursors
49.02 Registration Required

49.03 Exception
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49.01 CONTROLLED SUBSTANCE PRECURSORS. The City of Marion declares that any retail product, containing the following items, to be controlled substance precursors:

1. Pseudoephedrine.
2. Ether.
3. Ephedrine.

49.02 REGISTRATION REQUIRED. All persons or businesses selling, transferring or otherwise exchanging for consideration any substances containing the above described controlled substance precursors shall require the purchaser or person receiving said substance to provide their name, address and telephone number. The seller shall keep said information in a log that shall be accessible to any law enforcement officer upon request. Prior to completing a sale, the seller shall require the buyer to produce photo identification verifying their identity. If a person wishing to buy a controlled substance precursor refuses to provide the required information, the seller shall refuse to make the sale.

49.03 EXCEPTION. This chapter shall not apply to individuals who purchase one pre-packaged unit of a substance containing pseudoephedrine, ether or ephedrine. If the person or business transferring the substance chooses, however, to request and require registration of the purchaser of only one pre-packaged unit of a substance containing pseudoephedrine, ether or ephedrine, said business or person shall be authorized to do so, pursuant to the terms of this chapter.

49.04 VIOLATIONS.

1. Any person or business violating this chapter by not maintaining the required log of information or failing to enter the required information on any particular sale or knowingly entering falsified information shall be committing a municipal infraction punishable as provided in Chapter 4 of this Code of Ordinances or punishable by any other injunctive remedies that the court may impose, pursuant to Iowa's municipal infraction authority.
2. Any person providing false information for the log of the seller of a controlled substance precursor shall be guilty of a misdemeanor and shall be punished in the manner provided in Section 1.06 of this Code of Ordinances. Any

person avoiding registration by buying one pre-packaged unit of substances containing pseudoephedrine, ether or ephedrine at more than one retailer, within a period of 24 hours, or more than one pre-packaged unit of a substance containing pseudoephedrine, ether or ephedrine at the same retailer in separate purchases of one each time, within a period of 24 hours, shall be guilty of a simple misdemeanor and shall be punished in the manner provided in Section 1.06 of this Code of Ordinances.

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