BILL 2012-50

****** Second Reading ******

AGENDA ITEM

To: Mayor & City Council

From: Chief of Police Corey Sloan

Date: October 10, 2012

Re: Restriction of items commonly used to consume illegal drugs

Issue:

The City of Cameron Police Department has become aware of businesses within our community who are selling items that are commonly used to consume illegal drugs. These items are often referred to as: bongs, hookahs, water pipes, rolling papers, blunt wraps, and flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within the living organism).

We understand there are legal and illegal purposes for these items. However, in the benefit of public safety there is a community need to prohibit customer access to these items prior to their sale to persons under the age of 18. This prohibition is an effort to reduce the use of these items for the consumption of illegal drugs by minors (those under the age of 18).

Kansas City, Missouri, has recently passed a similar ordinance restricting the sale of these items in their community.

Recommendation:

Approve and sign the attached ordinance restricting the sale of items commonly used to consume illegal drugs to those under the age of 18 as determined by an official form of government issued identification.

(Staff recommends three readings)

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AN ORDINANCE AUTHORIZING THE RESTRICTION OF THE SELF-SERVICE SALE OF ITEMS COMMONLY USED TO CONSUME ILLEGAL DRUGS TO THOSE UNDER THE AGE OF EIGHTEEN BY ADDING SECTION 8-4.5 TO ARTICLE I, IN GENERAL, OF CHAPTER 8, OFFENSES MISCELLANEOUS, IN THE CAMERON CITY CODE

WHEREAS, the City Council finds that bongs, hookahs, water pipes, rolling papers, blunt wraps, and/or flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within a living organism) are primarily used for the consumption of illegal drugs; and

WHEREAS, the City Council finds that access to bongs, hookahs, water pipes, rolling papers, blunt wraps, and/or flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within a living organism) by persons under the age of 18 contributes to their use of illegal drugs, including, marijuana and synthetic drugs; and

WHEREAS, the City Council desires to restrict access by persons under the age of 18 to bongs, hookahs, water pipes, rolling papers, blunt wraps, and/or flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within a living organism) by prohibiting the self-service sales of the aforementioned items; and

WHEREAS, the City Council has made this determination in the public interest, safety and welfare of the citizens of Cameron, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AS FOLLOWS:

Section 1. Add Section 8-4.5 to Article I, In General, of Chapter 8, Offenses Miscellaneous, in the Cameron City Code:

Section 8-4.5: Restriction of items commonly used to consume illegal drugs.

a) It is unlawful for any person, business or corporation to offer for self-service sale bongs, hookahs, water pipes, rolling papers, blunt wraps, and/or flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within a living organism) to any person(s) under the age of 18 as determined by an official form of government issued photo identification;
b) Any person violating the terms of the ordinance shall be punished, upon conviction, with a fine up to five hundred dollars ($500.00) and/or incarceration of up to thirty (30) days, with each day of violation constituting a separate offense;

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c) Any person, business or corporation found violating the terms of the ordinance shall have their business license immediately revoked by the City of Cameron;

d) The City of Cameron shall refuse a business license to any person, business or corporation offering for self-service sale bongs, hookahs, water pipes, rolling papers, blunt wraps, and flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within a living organism).

Section 2. The Mayor is hereby authorized to sign the attached ordinance which is attached hereto and made a part hereof.

Section 3. The City Clerk is hereby directed to attest to the Mayor's signature.

Section 4. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Read first time on this 15th day of October 2012.
Read second time on this 5th day of November 2012.
Read third time and passed on this _____day of _____2012.

_____
Mayor Dennis M. Clark

Attest:

_____
City Clerk/Finance Clerk

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