

ORDINANCE NO. 8-82

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Russell Sweetman ON THE
19th DAY OF April, 1982.

AN ORDINANCE AMENDING THE CENTERVILLE MUNICIPAL CODE BY PROVIDING FOR REGULATION OF ITEMS DESIGNED OR MARKETED FOR USE WITH ILLEGAL CANNABIS OR DRUGS.

WHEREAS, certain items designed or marketed for use with illegal drugs are or may be retailed within the City of Centerville, County of Montgomery, State of Ohio, and

WHEREAS, it is recognized that such items are legal retail items and that their sale cannot be banned; and

WHEREAS, there is evidence that these items are designed or marketed for use with illegal cannabis or drugs and it is in the best interest of the health, safety and welfare of the citizens of the City of Centerville, Ohio to regulate within the City the sale of items designed or marketed for use with illegal cannabis or drugs.

NOW, THEREFORE:

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the Centerville Municipal Code be amended by adding thereto Chapter 729 which chapter shall be as follows:

Chapter 729 REGULATION OF ITEMS DESIGNED OR MARKETED FOR USE WITH ILLEGAL CANNABIS OR DRUGS

Section 729.01

A. License Required:

It shall be unlawful for any person or persons as principal, clerk, agent or servant to sell any items, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs, as defined by the Ohio Revised Code, without obtaining a license therefore. Such licenses shall be in addition to any or all other licenses held by applicant.

B. Application:

Application to sell any item, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs shall, in addition to any requirements for other licenses as provided in the Centerville Municipal Code, be accompanied by affidavits by applicant and each and every employee authorized to sell such items that such person has never been convicted of a drug related offense.

C. Minors:

It shall be unlawful to sell or give items as described in Section 729.01(A) hereof in any form to any male or female child under eighteen (18) years of age.

D. Records:

Every licensee must keep a record of every item, effect, paraphernalia, accessory or thing which is designed or marketed for use with illegal cannabis or drugs which is sold and this record shall be open to the inspection of any police officer at any time during the hours of business. Such record shall contain the name and address of the purchaser, the name and quantity of the product, the date and time of the sale, and the licensee or agent of the licensee's signature, such records shall be retained for not less than two (2) years.

E. Regulations:

The applicant shall comply with all applicable regulations of the Centerville Municipal Code.

Section 729.02. At the time of filing the Application provided for in Section 729.01(B), the applicant shall pay to the City of Centerville an application fee in the amount of \$150.00.

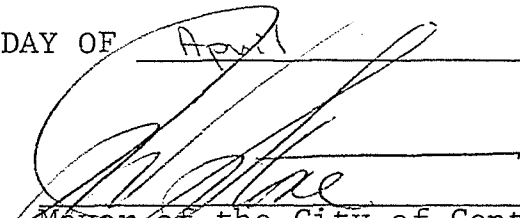
Section 729.99

Penalty:

Whoever violates any provision of this Chapter shall be fined not more than Five Hundred Dollars (\$500.00) or imprisoned not more than six (6) months or both. Each day of violation shall constitute a separate offense.


Section 2. This ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 19th DAY OF April, 1982.



Mayor of the City of Centerville,
Ohio

ATTEST:




Clerk of Council
City of Centerville, Ohio

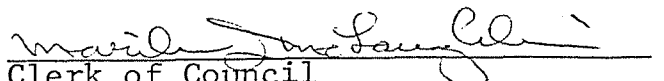
CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 8-82, passed by the Council of the City of Centerville, Ohio, on the 19th day of April, 1982.

Approved as to form, consistency with ordinance, and the charter & code of the City of Centerville, Ohio.



Robert M. Paquin
Municipal Attorney



Clerk of Council

ALTICK & CORWIN