

9.53 – Drug Paraphernalia

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9.53.010 – Findings

The corporate authorities of the city of St. Charles are advised that there is a widespread illegal use of drugs and drug paraphernalia within the city, and further finds that the adoption of a local ordinance governing said drug paraphernalia will be helpful for the effective control and elimination of drugs and drug paraphernalia.

(1997-M-83 : § 1)

9.53.020 – Definitions

Unless the context otherwise requires, the following terms as used in this Chapter have the meanings ascribed to them.

- A. “Controlled substance” means any drug or controlled substance as defined under any law of the state of Illinois or of the United States of America.
- B. “Instrument” means a device used, designed for use, or intended for use in ingesting, smoking, administering or preparing cannabis, cocaine, phencyclidine, opium or any derivative thereof, or any other controlled substance, including but not limited to, the following:
 - 1. Metal, wooden, acrylic, glass, stone, plastic or ceramic marijuana (Cannabis sativa) or hashish pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
 - 2. Water pipes designed for use or intended for use with marijuana (Cannabis sativa), hashish, hashish oil or cocaine;
 - 3. Carburation tubes and devices;
 - 4. Smoking and carburation masks;
 - 5. Roach clips;
 - 6. Separation gins designed for use or intended for use in cleaning marijuana;
 - 7. Cocaine spoons and vials;
 - 8. Chamber pipes;
 - 9. Carburetor pipes;
 - 10. Electric pipes;
 - 11. Air-driven pipes;
 - 12. Chillums;
 - 13. Bonges;
 - 14. Ice pipes or chillers; and
 - 15. One hitters and dugout storage containers.

(1997-M-83 : § 1)

9.53.030 – Prohibition

It is unlawful for any person to have, possess, sell, offer to sell, dispense or give away any instrument adapted for the use of smoking, inhaling or ingesting any controlled substance.

(1997-M-83 : § 1)

9.53.040 – Application

The provisions of this Chapter shall not apply to:

- A. Any person who has been authorized by the Department of Mental Health and Developmental Disabilities, with the approval of the Illinois State Police, to possess and deliver substances containing cannabis;
- B. Persons registered under federal law to conduct research with cannabis.

(1997-M-83 : § 1)

9.53.050 – Violation - Penalty

Any persons, firm or corporation violating any provision of this Chapter shall be fined not more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues.

(1997-M-83 : § 1)