

ORDINANCE NO. 1979-M-17

AN ORDINANCE AMENDING CHAPTER 28 ENTITLED
"MISDEMEANORS AND OTHER OFFENSES" OF THE
MUNICIPAL CODE OF THE CITY OF ST. CHARLES
RELATING TO DRUG PARAPHERNALIA

REFER TO:	
MINUTES	6-18-79
PAGE	1795

DATE OF PUBLICATION 6-27-79
NEWSPAPER Chronicle

WHEREAS, it is a well-known and documented fact that drug use and abuse by minors constitutes a very real and dangerous health hazard to the youth of America; and

WHEREAS, it is a matter of public policy to regulate and control the public exhibition, display and sale of any and all items which are known and generally accepted to be used to facilitate the consumption or ingestion of controlled substances or cannabis in order to protect the health and welfare of our youths; and

WHEREAS, the City Council of the City of St. Charles desires to take all steps necessary to aid in the fight against drug use and abuse by minors;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

1. That Chapter 28 of the Municipal Code of St. Charles be and is hereby amended by adding Section 28.043 thereto which shall read as follows:

28.043) Public Sale of Drug Paraphernalia to Minors.

a) Definitions

The term "drug paraphernalia", articles or equipment commonly used in the consumption or ingestion of controlled substances or

cannabis shall include, but not be limited to, the following enumerated articles: cocaine spoons, pot pipes, water pipes, hypodermic needles, syringes, roach clips and literature devoted wholly or substantially to describing or illustrating explicitly the consumption or ingestion of a controlled substance or cannabis which tends to promote the use of a controlled substance or cannabis.

b) Sale to Minors

It is hereby declared unlawful for any person to sell or offer to sell any paraphernalia, articles or equipment, as defined in Section 28.043(a) to any person under the age of 18, except where such articles or equipment are prescribed for strictly medical purposes and are used as such.

c) Severability

If any provision, clause, sentence, paragraph, sub-section, section or part of this ordinance or application thereof to any person or circumstance shall, for any reason, be adjudged to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporations or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation or circumstances involved. It is hereby declared to be the legislative intent of the City Council that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section or part thereof not been included.

2. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than \$5.00 nor more than \$500.00 for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues.

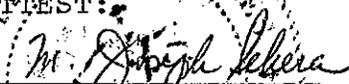
3. This Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with law.

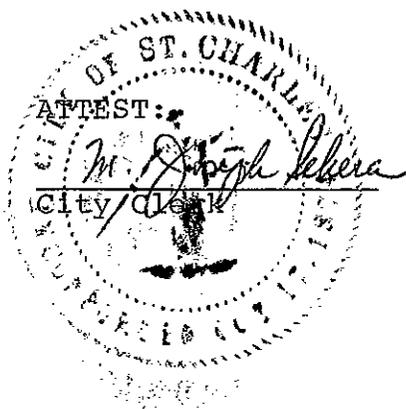
PRESENTED to the City Council of the City of
St. Charles, Illinois, this 18th day of June, 1979.

PASSED by the City Council of the City of
St. Charles, Illinois, this 18th day of June, 1979.

APPROVED by the Mayor of the City of St. Charles,
Illinois, this 18th day of June, 1979.


MAYOR

ATTEST:

City Clerk



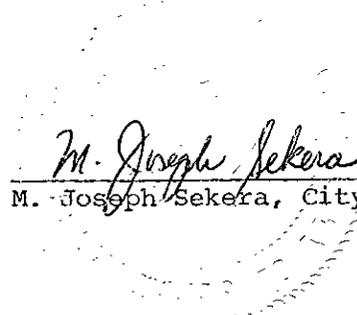
Council vote: Unanimous
Aye 10
Nay 0

STATE OF ILLINOIS)
)
COUNTIES OF KANE AND DUPAGE) SS.
)
CITY OF ST. CHARLES)

This is to certify that the foregoing is a true and correct
copy of Ordinance No. 1979-M-17 entitled AMENDING CHAPTER 28
ENTITLED "MISDEMEANORS AND OTHER OFFENSES" OF THE MUNICIPAL CODE OF THE
CITY OF ST. CHARLES RELATING TO DRUG PARAPHERNALIA

passed by the City Council of the City of St. Charles on the 18th
day of June, 19 79 A.D., as morefully appears from
the records and files of said City in my custody.

Given under my hand and the official seal of said City of
St. Charles, this 27th day of June, 19 79 A.D.


M. Joseph Sekera
M. Joseph Sekera, City Clerk