

CITY OF ST. CHARLES

ORDINANCE NO. 1996-M-7

AN ORDINANCE AMENDING TITLE 9,
"PUBLIC PEACE, MORALS AND WELFARE" OF THE
ST. CHARLES MUNICIPAL CODE

ADOPTED BY THE

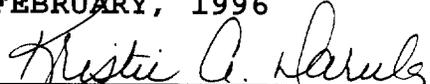
CITY COUNCIL

OF THE

CITY OF ST. CHARLES

THIS 5TH DAY OF FEBRUARY, 1996

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF ST. CHARLES,
KANE AND DU PAGE COUNTIES,
ILLINOIS, THIS 9TH DAY OF
FEBRUARY, 1996



CITY CLERK

(S E A L)



DATE OF PUBLICATION 2/19/96
NEWSPAPER Leaflet Form

REFER TO:
MINUTES 2/5/96
PAGE _____

ORDINANCE NO. 1996-M- 7

**AN ORDINANCE AMENDING TITLE 9,
"PUBLIC PEACE, MORALS AND WELFARE" OF THE
ST. CHARLES MUNICIPAL CODE**

WHEREAS, the corporate authorities of the City of St. Charles are advised that the use of cannabis presents a serious health hazard to the community, and further finds that the adoption of a local ordinance governing said possession and illegal use of Cannabis will be helpful for the effective control and elimination of cannabis; and

WHEREAS, a cannabis control ordinance pertains to the government and affairs of the city and is an exercise of its home rule powers;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:

Section 1. That Title 9, "Public Peace, Morals and Welfare" of the St. Charles Municipal Code be amended by adding the following:

**"CHAPTER 9.51
POSSESSION OF CANNABIS**

Sections:

- 9.51.010 Findings.
- 9.51.020 Cannabis Defined.
- 9.51.030 Possession Unlawful.

9.51.010 Findings.

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

9.51.020 Cannabis Defined.

Cannabis includes marijuana, hashish and other substances which are identified as including any parts of the plant Cannabis Sativa, whether growing

or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, and any compound, manufacture, salt, derivative, mixture or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

9.51.030. Possession Unlawful.

It is unlawful for any person to knowingly possess any quantity of any substance containing Cannabis, except that the effect of this Chapter shall be limited for purposes of municipal prosecution to persons knowingly possessing less than thirty (30) grams of any substance containing Cannabis.

9.51.040. Violation - Penalty.

Any person, 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."

2. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 5th day of February, 1996.

PASSED by the City Council of the City of St. Charles, Illinois, this 5th day of February, 1996.

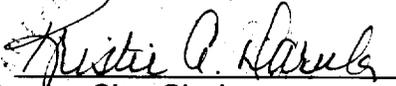
APPROVED by the Mayor of the City of St. Charles, Illinois, this 5th day of

February, 1996.



Mayor

ATTEST:



City Clerk

COUNCIL VOTE:

Ayes: 13

Nays: 0

Absent: 1

APPROVED AS TO FORM:



City Attorney

DATE: 2/5/96

STATE OF ILLINOIS)
) SS.
COUNTIES OF KANE AND DUPAGE)

C E R T I F I C A T E

I, KRISTIE A. DARULA, certify that I am the duly elected and acting municipal clerk of the city of St. Charles, Kane and DuPage Counties, Illinois.

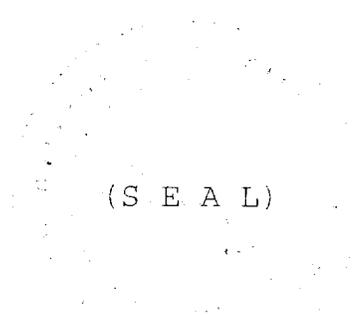
I further certify that on February 5, 1996, the Corporate Authorities of such municipality passed and approved Ordinance No. 1996-M-7, entitled

"AN ORDINANCE AMENDING TITLE 9, 'PUBLIC PEACE, MORALS AND WELFARE' OF THE ST. CHARLES MUNICIPAL CODE",

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1996-M-7, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 9, 1996, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 8th day of February, 1996.


Kristie A. Darula
Municipal Clerk

(S E A L)