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ORDINANCE NUMBER 99-6

**AN ORDINANCE PROHIBITING THE POSSESSION OF CERTAIN CONTROLLED
SUBSTANCES WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF
GALENA, KANSAS.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS:

Section 1. Definitions: All terms used in the ordinance shall be defined according to the Uniform Controlled Substances Act, K.S.A. 65-4101, et.seq. and amendments thereto.

Section 2. Except as otherwise authorized by the Uniform Controlled Substances Act, K.S.A. 65-4101 et.seq. and amendments thereto, it shall be unlawful for any such person to possess or have under their control tetrahydro-cannabinols, marijuana, hashish, hashish oil or any compound of marijuana.

Section 3. It shall not be a defense to charges arising under this section that the defendant was acting as an agency relationship on behalf of any other party in a transaction involving a controlled substance.

Section 4. For purposes of this ordinance, the prohibitions contained in this ordinance shall apply to analogues of tetrahydro-cannabinols.

Section 5. Penalties. Upon a finding by the Court that a person accused of violation of this ordinance is guilty of such violation such person shall be subject to the penalties associated with Class A Misdemeanor violations as defined by Kansas Statutes Annotated. Specifically, the Court may impose a term of imprisonment in the custody of the chief of police or the sheriff of the county not to exceed one year. The Court may impose a fine not to exceed TWENTY-FIVE HUNDRED DOLLARS (\$2,500.00). The Court may impose a fine or imprisonment or may impose both such fine and imprisonment. The Court may suspend any portion or all of any term of imprisonment imposed by reason of a finding by the Court that the defendant is guilty of violation of this ordinance. The Court may order that any term of imprisonment be suspended and that person may be placed upon either supervised or unsupervised probation, within the Court's discretion, for up to one year. The Court may assess a probation fee for any such supervised probation as the Court may order in the amount of **TWENTY-FIVE DOLLARS (\$25.00).**

Section 6. Effective date. That this Ordinance shall be published in the official city newspaper and shall be in full force and effect from and after its final passage and publication in the official city newspaper.

Passed and Adopted by not less than a two-thirds vote of the Governing Body of the City of Galena, Kansas on this 5th day of April, 1999.

David Shallenburger

David Shallenburger, Mayor

ATTEST:

Deborah Kitch
Deborah Kitch, City Clerk

SEAL: