(Published on the 9th day of March, 2005 in the Official City Newspaper)

ORDINANCE NO. 05-11

AN ORDINANCE PROHIBITING POSSESSION OF MARIJUANA AND CREATING PENALTIES FOR THE UNLAWFUL POSSESSION THEREOF>

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

Section 1. 11-201 of the City of Galena is hereby amended by adding the following section to read as follows:

11-201: POSSESSION OF MARIJUANA

Except as authorized by the uniform controlled substances act of the Kansas statutes Annotated, it shall be unlawful for any person to possess or have under such person's control any hallucinogenic drug that is a Tetrahydrocannabinol as such as act constitutes the offense of Possession of Marijuana. A person convicted of Possession of Marijuana may be sentenced to pay a fine of not more than $1000.00, or to be confined in jail for a period of not greater than 6 months, or sentenced to both such fine and confinement.

Tetrahdrocannabinol includes synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp.and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers Delta 3, 4 cis or trans tetrahydrocannabinol, and it optical isomers. (Since nomenclature of these substances is not internationally standardized, compounds of these structures are included herein, regardless of the numerical designation of atomic positions covered.)

Section 2. Ordinances 954 and 99-6 are hereby repealed.

Section 3. This ordinance shall take effect upon one publication in the official city newspaper.

Passed and approved of by the City Commission of the City of Galena, Kansas, this 7th day of **March,** 2005.

Executed of by the Mayor of the City of Galena, Kansas, this 7th day of **March**, 2005.

M. Scott Donaldson

Scott Donaldson
Mayor of Galena, Kansas

Attest:

Deborah Kitch

Deborah Kitch
City Clerk