

**EXPLANATORY COVER SHEET**

COUNCILMAN'S BILL NO. CB-1513

SPONSOR: MAYOR NOVAK

TITLE: A BILL FOR AN ORDINANCE AMENDING SECTION 9-9-4(a)(2) OF THE NORTHGLENN MUNICIPAL CODE

PURPOSE: THE ORDINANCE REFERS TO C.R.S. § 12-22-502(2) FOR THE DEFINITION OF "DRUG PARAPHENALIA," WHICH IS NOW C.R.S. § 18-18-426. THE AMENDED ORDINANCE INCORPORATES THE DEFINITION OF "DRUG PARAPHENALIA" RATHER THAN REFERING TO THE DEFINIITION IN C.R.S. § 18-18-426

ADDITIONAL EXPLANATORY REMARKS:

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1513  
Series of 2005

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A BILL FOR AN ORDINANCE AMENDING SECTION 9-9-4(a)(2) OF THE NORTHGLENN MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 9-9-4 (a)(2) is hereby amended to read as follows:

(2) **"Drug Paraphernalia"** – means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the laws of this state. "Drug paraphernalia" includes, but is not limited to:

(i) Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness, or purity of controlled substances under circumstances in violation of the laws of this state;

(ii) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances;

(iii) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from or in otherwise cleaning or refining marihuana;

(iv) Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances;

(v) Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances;

(vi) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances; or

(vii) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish, or hashish oil into the human body, such as:

- (a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
- (b) Water pipes;
- (c) Carburetion tubes and devices;
- (d) Smoking and carburetion masks;
- (e) Roach clips, meaning objects used to hold burning material, such as a marihuana cigarette that has become too small or too short to be held in the hand;
- (f) Miniature cocaine spoons and cocaine vials;
- (g) Chamber pipes;
- (h) Carburetor pipes;
- (i) Electric pipes;
- (j) Air-driven pipes;
- (k) Chillums;
- (l) Bongs; or
- (m) Ice pipes or chillers.

Section 2.     Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3.     Repeal. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4.     Safety Clause. The City Council hereby finds, determines, and declares that

this ordinance is promulgated under the general police power of the City of Northglenn, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

INTRODUCED, READ AND ORDERED POSTED this \_\_\_\_ day of \_\_\_\_\_, 2005.

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KATHLEEN M. NOVAK  
Mayor

ATTEST:

\_\_\_\_\_  
DIANA L. LENTZ, CMC  
City Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2005.

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KATHLEEN M. NOVAK  
Mayor

ATTEST:

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DIANA L. LENTZ, CMC  
City Clerk

APPROVED AS TO FORM:

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HERBERT C. PHILLIPS  
City Attorney