

ORDINANCE NO. 839

AN ORDINANCE AMENDING THE CITY CRIMINAL CODE AND ADOPTING BY REFERENCE THE STATE CRIMINAL CODE, AND DECLARING AN EMERGENCY

WHEREAS, the State of Oregon has amended certain provisions of the Oregon Criminal Code, including Chapters 131 through 133, 135 through 138, 153, 156 through 157, 161 through 167, 471 and 475.

WHEREAS, the City of Canby wishes to adopt by reference said Oregon Criminal Code as amended, now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Section 9.04.010 (A) is amended to read as follows:

"9.04.010 Applicability of State Criminal Code.

A. Violation of provisions in Oregon Revised Statutes Chapters 162 through 167, 471 and 475 inclusive as now constituted, is an offense against the City."

Section 2. Section 9.04.020 (A) is amended to read as follows:

"9.04.010 Applicability of State Criminal Code.

A. The City of Canby adopts Oregon Revised Statutes Chapters 131 through 133, 135 through 138, 153 and 156 through 157 inclusive as now constituted as the Criminal Procedure Code to be followed by the City."

Section 3. Section 9.32.040 (A) is amended to read as follows:

"9.32.040. Offenses and penalties.

A. Possession of Drug Paraphernalia. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Any person who violates this subsection is guilty of an infraction and upon conviction may be fined not more than five hundred dollars (\$500.00).

Section 4. Section 9.32.040 (D) is amended to read as follows:


"9.32.040. Offenses and penalties.

D. Advertisement of Drug Paraphernalia. It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia. Any person who violates this section is guilty of an infraction and upon conviction may be fined not more than five hundred dollars (\$500.00).

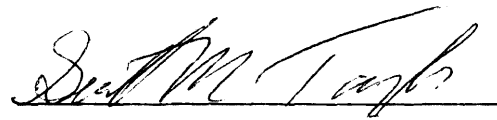
Section 5. Sections 9.04.010 (B), 9.04.010 (C), 9.04.020 (B), and all remaining chapters not specifically amended remain in full force and effect.

Section 6. An emergency is hereby declared to exist in order to immediately adopt by reference the Oregon Criminal Code as recently amended, for the health, welfare, and safety of the citizens of Canby and this ordinance shall therefore take effect immediately upon its enactment after final reading.

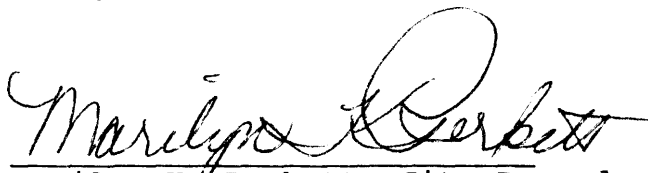
SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, December 6, 1989; ordered posted as provided by the Canby City Charter and scheduled for second reading and action of the City Council at a regular meeting thereof to be held on December 20, 1989, after the hour of 7:30 o'clock p.m., at the Council meeting chambers at the Canby City Hall in Canby, Oregon.


Marilyn K. Perkett, City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 20th day of December, 1989, by the following vote: YEAS 6 NAYS 0


Scott Taylor, Council President
Acting Mayor

ATTEST:


Marilyn K. Perkett, City Recorder