COUNCIL BILL NO. 2016-001 ORDINANCE NO.

AN ORDINANCE amending Chapter 82, Offenses and Miscellaneous Provisions, Article III, Offenses Against Public Peace. In general, enacting a new Section 82-199 of the Joplin City Code, Inhalation or inducing others to inhale solvent fumes to cause certain reactions, prohibited—exceptions; and containing an emergency clause.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

WHEREAS, the City's Code of Ordinances does not include an offense specific to illegal drug use in the form of inhalants; and

WHEREAS, by enacting an ordinance specific to drug use in the form of inhalants, the law and records thereof will be easier to understand and enforce, and be more consistent with the Revised Statutes of the State of Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That a new Section 82-199, Inhalation or inducing others to inhale solvent fumes to cause certain reactions, prohibited—exceptions., be enacted to read as follows:

"Inhalation or inducing others to inhale solvent fumes to cause certain reactions, prohibited—exceptions.

1. No person shall intentionally smell or inhale the fumes of any solvent, particularly toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite, difluoroethane, ethyl nitrite, pentyl nitrite, and propyl nitrite and their iso-analogues or induce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes; except that this section shall not apply to the inhalation of any anesthesia for medical or dental purposes."

Section 2. That the City hereby declares that this Ordinance, dealing generally with public health, safety, and welfare, is considered an emergency within the meaning of Section 2.12(1) of the Home Rule Charter of the City of Joplin, Missouri, and, as such, this Ordinance shall become effective immediately upon its passage. Specifically, citations for inhalants cannot be effectively issued and prosecuted until this ordinance is passed.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2016, by a vote of _____.

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Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

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Peter C. Edwards, City Attorney