# CITY OF JOPLIN
# COUNCIL AGENDA ITEM

**ITEM**
Council Bill No. 2024-609 – amending Chapter 82 – Offenses and Miscellaneous Provisions, Article V – Offenses Against Health and Safety, by enacting a new Section, 82-200, Unlawful Possession of a Controlled Substance.

**MEETING DATE**
March 4, 2024

**ORIGINATING DEPARTMENT**
Police Department

**ATTACHMENTS**
Council Bill No. 2024-609

**REVIEWED BY**
Police Chief Richard Pearson; City Attorney Peter Edwards; City Manager Nicholas Edwards.

**SUMMARY**
This Council Bill amends Chapter 82 of the City Code and relates to the possession of a controlled substance by enacting a new Section – Sec. 82-200 Unlawful Possession of a Controlled Substance.

**BACKGROUND**

The Joplin Police Department does not currently have an ordinance in place to charge persons with misdemeanor possession of a controlled substance. Illicit drug use is a danger to the health, safety, and general welfare of the City, and there are occasions where persons have very minimal amounts of a controlled substance as defined in RSMo §195.010.

In order to promote the health, safety, and general welfare of the City, and to prevent the use of illicit drugs, the enactment of this ordinance is requested.

**FUNDING SOURCE**
N/A

**RECOMMENDATION**
Staff recommends this Council Bill be placed on First Reading.

COUNCIL BILL NO. 2024-609 ORDINANCE NO.

AN ORDINANCE amending Chapter 82 – Offenses and Miscellaneous Provisions, Article V – Offenses Against Health and Safety, by enacting a new Section, 82-200, Unlawful Possession of a Controlled Substance.

WHEREAS, illicit drug use is a danger to the health and safety, and general welfare of the City.

WHEREAS, there are occasions where persons have very minimal amounts of a controlled substance as defined in RSMo §195.010.

WHEREAS, the Joplin Police Department does not currently have an ordinance in place to charge persons with misdemeanor possession of a controlled substance.

WHEREAS, in order to promote the health and safety, and general welfare of the City, to prevent the use of illicit drugs, the Council of the City of Joplin desires to enact an unlawful possession of a controlled substance ordinance.

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

Section 1. That Chapter 82 – Offenses and Miscellaneous Provisions, Article V – Offenses Against Health and Safety, is amended by enacting a new Section 82-200 – Possession of a Controlled Substance, as follows:

"Section 82-200 – Unlawful Possession of a Controlled Substance.

A person commits the offense of possession of a controlled substance, as defined by Section 195.010, RSMo., if he or she knowingly possesses a controlled substance, except as authorized by Chapter 579, RSMo., or Chapter 195, RSMo."

Section 2. That this Ordinance shall be in full force and effect from and after its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2024, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney