

CITY OF DOVER ORDINANCE #2012-17

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 26 - Businesses, Article I - In General, Section 26-1 - Sale of Dangerous Substances, be amended to read as follows:

Sec. 26-1. - Sale of dangerous substances.

- (a) It shall be unlawful to sell or offer to sell any material, compound, mixture, or preparation which contains any quantity of any substance categorized as Schedule I in accordance with 16 Del.C. ch. 47.
- (b) *Penalties.* Violations of this section shall be subject to fines in accordance with Appendix F—Fees and Fines, section 1-17 and revocation of business license under the provisions of Chapter 26—Businesses, Article II—Licenses, section 26-64.
- (c) *Enforcement.* Any business that sells or offers for sale any of the prohibited items shall be considered a public nuisance. The provisions of this section may be enforced by any city inspector or officer of the police department after any substance found for sale at a business tests positive for a Schedule I controlled substance in a field test performed by the Police Department.

ADOPTED: JULY 9, 2012

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SYNOPSIS

The proposed ordinance would more closely align the City code with the State Uniform Controlled Substances Act as it relates to the sale of Schedule I controlled substances, including but not limited to bath salts.

(SPONSORS: LYNN, STAFF)

Actions History

07/09/2012 - Final Reading

06/25/2012 - First Reading by City Council

06/11/2012 - Introduced at Legislative, Finance, and Administration Committee Meeting