

ORDINANCE NO. 350

AN ORDINANCE INCORPORATING BY REFERENCE CERTAIN SECTIONS OF THE KANSAS UNIFORM CONTROLLED SUBSTANCE ACT, BEING K.S.A. 65-4101, AS AMENDED, DEFINING A "CONTROLLED SUBSTANCE" AND DECLARING THE UNAUTHORIZED POSSESSION THEREOF UNLAWFUL, PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, K.S.A. 12-3009 et seq and 12-3301 et seq, authorize and empower the City of Wathena, Kansas, to incorporate in an ordinance by reference, in the manner therein prescribed, statutes of the State of Kansas:

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

1. CERTAIN KANSAS STATUTES INCORPORATED BY REFERENCE. The following statutes of the State of Kansas are hereby incorporated in and made a part of this ordinance by reference (as used herein the term "K.S.A." means Kansas Statutes Annotated and the term "K.S.A. Supp." means the 1979 Cumulative Pocket-Part Supplement to the Kansas Statutes Annotated), to wit:

- (a) K.S.A. Supp. 65-4101.
- (b) K.S.A. 65-4103.
- (c) K.S.A. 65-4105.
- (d) K.S.A. Supp. 65-4107.
- (e) K.S.A. Supp. 65-4109.
- (f) K.S.A. Supp. 65-4111.
- (g) K.S.A. 65-4136.
- (h) K.S.A. 65-4140.

2. POSSESSION OR DISPOSITION OF CONTROLLED SUBSTANCES DECLARED UNLAWFUL. Except as authorized by the Kansas Uniform Controlled Substances Act (K.S.A. 65-4101 et seq. as amended), it shall be unlawful for any person to manufacture, possess, have under his control, prescribe, administer, deliver, distribute, dispense or compound any of the controlled substances which are defined and enumerated by reference in Section 1 hereof.

3. PENALTY PROVISION. Any person who violates this ordinance shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment in jail for a period of not more than six (6) months, or by both such fine and imprisonment.

4. DISTRIBUTION OF COPIES OF ORDINANCE. (a) Immediately after publication of this Ordinance, the City Clerk shall compile three (3) copies of each and all of the Kansas Statutes enumerated in Section 1 of this Ordinance and mark or stamp thereon "Official Copy as incorporated by Ordinance No. " and she shall attach to each of such compilation of statutes a copy of this incorporating Ordinance and the said

three documents, so compiled and prepared, shall thereafter remain on file in the office of the City Clerk and shall be open to inspection and available to the public at all reasonable business hours.

(b) In addition to the three copies of this Ordinance and incorporated statues which the City Clerk will prepare and file as provided in sub-paragraph (a) of this Section, the said City Clerk shall, at the same time, compile and complete and additional ten (10) copies of this Ordinance and incorporated statues in document form in the manner prescribed in sub-paragraph (a) of this section, and shall distribute such documents as follows: Two copies each to the Municipal Judge and City Attorney and six copies to the Police Department of the City of Wathena.

5 REPEALER. All ordinances and parts of ordinances of the City of Wathena in conflict herewith are hereby repealed.

6. EFFECTIVE DATE. This Ordinance shall be in force and take effect from and after its pulication in the official City newspaper.

PASSED by the Council and Approved by the Mayor on the 2 day of October, 1979.



Mayor

ATTEST:



City Clerk