

AN ORDINANCE AMENDING SECTION 210.530 OF THE CODE OF ORDINANCES OF THE CITY OF COOL VALLEY, MISSOURI, REGARDING ILLEGAL POSSESSION OF CONTROLLED SUBSTANCES.

WHEREAS, Section 210.530 of Chapter 210 of the Code of Ordinances of the City of Cool Valley addresses illegal possession of controlled substances; and

WHEREAS, changes in prosecution standards and other factors dictate that the City's ordinances should be updated to make it clear that illegal possession of any controlled substance is a violation of the City's ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF COOL VALLEY, MISSOURI, AS FOLLOWS:

Section One. Section 210.530 of Article XI of Chapter 210 of the Code of Ordinances of the City of Cool Valley, Missouri, is hereby repealed and a new section 210.530 is hereby enacted in lieu thereof to read as follows:

Chapter 210. Offenses

Article XI. Offenses Concerning Drugs

Section 210.530. Possession or Control of a Controlled Substance.

A person commits the offense of possession of a controlled substance if he or she knowingly possesses or delivers a controlled substance, including all drugs, substances or immediate precursors listed in Schedules I through V as defined in Chapter 195, RSMo., except as authorized by Chapter 195 or Chapter 579, RSMo. In any complaint, information, action or proceeding brought for the enforcement of this Section, it shall not be necessary to allege or prove the. negative as to any exception, excuse, proviso or exemption contained in this Code or Chapter 195 or Chapter 579, RSMo., and the burden of injecting the issue and the burden of proof as to any such exception, excuse, proviso or exemption shall be upon the defendant.

Section Two. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City Code of Ordinances upon supplementation of

such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes,

Section Three. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words or this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

Section Four. This ordinance, and the code adopted hereby, shall be in full force and effect from and after its passage and approval.

PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF COOL VALLEY THIS 25th DAY OF April 2018.

Viola Murphy

Presiding Officer

Attest:

Deborah Jones Daniels

Deborah Jones-Daniels, City Clerk

APPROVED THIS 25th OF April, 2018.

Viola Murphy, Mayor

Viola Murphy, Mayor

Attest:

Deborah Jones Daniels

Deborah Jones-Daniels, City Clerk

