



City of Broken Arrow

Request for Action

File #: 17-2446, Version: 1

**Broken Arrow City Council
Meeting of: 08-01-2017**

**To: Mayor and City Council
From: Office of the City Attorney**

Title: Consideration, discussion, and possible adoption of Ordinance No. 3489-Corrected, amending Chapter 16, Offenses-MISCELLANEOUS, Article 1, In General, Section 16-28, Possession of marijuana and controlled dangerous substances; adding Schedule I and II drugs to the definition of controlled dangerous substances, of the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an emergency

Background:

On July 1, 2017, State law is being amended to include Schedules I and II drugs as drugs whose possession is a misdemeanor. Previously, possession of Schedule I or II drugs was considered a felony under State law. The proposed ordinance amendment adds Schedules I and II drugs to the definition of controlled dangerous substance. This will allow the City to file misdemeanor charges in Municipal Court for the possession of Schedule I and II drugs. In order to address publication issues, Staff is recommending adoption of the ordinance and approval of the emergency clause.

Cost: \$0

Prepared By: Beth Anne Childs, City Attorney

**Reviewed By: Assistant City Manager-Administration
Broken Arrow Police Department**

Approved By: Michael L. Spurgeon, City Manager

Attachments: Ordinance No. 3489

Recommendation:

Adopt Ordinance No. 3489-Corrected and approve emergency clause.