



# City of Broken Arrow

## Legislation Details (With Text)

**File #:** 17-2446 **Name:**

**Type:** Ordinance **Status:** Agenda Ready

**File created:** 7/20/2017 **In control:** Broken Arrow City Council

**On agenda:** 8/1/2017 **Final action:**

**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

**Sponsors:** Broken Arrow City Council

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 3489 - Corrected

Date	Ver.	Action By	Action	Result
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### 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.**