

CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

Part 1

Drug Paraphernalia

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Part 1

Drug Paraphernalia

§1. Definitions.

- A. Drug Paraphernalia — Any objects, devices, instruments, apparatus or contrivance whose primary and traditionally exclusive use is involved with the illegal use or possession of any and all controlled substances as defined by the Laws of Pennsylvania.
- B. Controlled Substance — A drug substance or immediate precursor as defined in the Pennsylvania Controlled Substance Drug, Device and Cosmetic Act.
- C. Immediate Precursor — A substance which under the Regulations of the Pennsylvania Department of Health is a principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance.
- D. Traditionally Exclusive Use — A use which is primary and inherent as opposed to secondary and incidental, and is associated with certain knowledge or beliefs derived from statements or contemporary persons and handed down through a considerable period of time.

(12/10/1980, §1)

§2. Possession or Trade of Paraphernalia Prohibited.

No person shall possess for sale or other distribution, sell, lease, trade, give or display for sale, any types of drug paraphernalia. (12/10/1980, §2)

§3. Advertisement of Paraphernalia Prohibited.

No person shall advertise for the sale, lease, trade or gift of any type of drug paraphernalia. (12/10/1980, §3)

§4. Penalty for Violation.

Any person who shall violate any of the terms of this ordinance [this Part 1] shall be liable, upon conviction thereof, before the District Justice, to a fine of not more than \$300, together with costs of prosecution. Each day that a violation shall continue shall be deemed a separate offense and shall be punishable as such. Upon refusal of any person convicted of violating this ordinance to pay such fine and costs, such person shall be im-

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prisoned in the Dauphin County Prison for a period not to exceed 30 days. (12/10/1980, §4)