

**CITY OF BALTIMORE
COUNCIL BILL 08-0142
(First Reader)**

Introduced by: Councilmembers Cole, Henry, Branch, D’Adamo, Young, Kraft, Reisinger,
Middleton, Clarke, Holton, Welch, Curran, Conaway, Spector

Introduced and read first time: June 9, 2008

Assigned to: Public Safety and Health Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Mayor’s Office of Criminal Justice,
Police Department, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Controlled Dangerous Substances – Nonresident Buyers**

3 FOR the purpose of imposing a civil penalty on nonresidents who come to the City to buy
4 controlled dangerous substances; defining certain terms; setting certain procedures; and
5 generally relating to activities involving controlled dangerous substances.

6 BY adding

7 Article 1 - Mayor, City Council, and Municipal Agencies
8 Section(s) 41-14 (2)(Subtitle 18)
9 Baltimore City Code
10 (Edition 2000)

11 BY adding

12 Article 19 - Police Ordinances
13 Section(s) 18-1 to 18-4, to be under the new subtitle designation,
14 “Subtitle 18. Drugs – Nonresident Buyers”
15 Baltimore City Code
16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Laws of Baltimore City read as follows:

19 **Baltimore City Code**

20 **Article 1. Mayor, City Council, and Municipal Agencies**

21 **Subtitle 41. Civil Citations**

22 **§ 41-14. Offenses to which subtitle applies – Listing.**

23 (2) *Article 19. Police Ordinances*

24

25 SUBTITLE 18. DRUGS – NONRESIDENT BUYERS \$1,000

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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Article 19. Police Ordinances

SUBTITLE 18. DRUGS – NONRESIDENT BUYERS

§ 18-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) *CONTROLLED DANGEROUS SUBSTANCE*

“CONTROLLED DANGEROUS SUBSTANCE” HAS THE MEANING STATED IN § 5-101 OF THE STATE CRIMINAL LAW ARTICLE.

(C) *NONRESIDENT.*

“NONRESIDENT” MEANS ANY PERSON WHO, AT THE TIME OF HIS OR HER ARREST FOR AN OFFENSE DESCRIBED IN § 18-2 {“CIVIL PENALTY FOR NONRESIDENT BUYERS”} OF THIS SUBTITLE, IS NOT DOMICILED IN THE CITY OF BALTIMORE.

§ 18-2. CIVIL PENALTY FOR NONRESIDENT BUYERS.

ANY NONRESIDENT WHO BUYS OR ATTEMPTS TO BUY A CONTROLLED DANGEROUS SUBSTANCE IN THE CITY OF BALTIMORE IS, IN ADDITION TO ANY OTHER PENALTY AUTHORIZED BY LAW, SUBJECT TO A CIVIL PENALTY UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {“CIVIL CITATIONS”}.

§ 18-3. CITATION.

ON ARRESTING A PERSON FOR BUYING OR ATTEMPTING TO BUY A CONTROLLED DANGEROUS SUBSTANCE, THE POLICE OFFICER SHALL ALSO ISSUE A CIVIL CITATION FOR THE OFFENSE IF THE PERSON IS UNABLE TO DEMONSTRATE THAT SHE OR HE IS DOMICILED IN THE CITY OF BALTIMORE.

§ 18-4. REMEDY NOT EXCLUSIVE.

THE ISSUANCE OF A CIVIL CITATION UNDER THIS SUBTITLE IS IN ADDITION TO AND DOES NOT PRECLUDE PURSUING ANY OTHER CRIMINAL OR CIVIL PENALTY, REMEDY, OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.