



## REQUEST FOR COUNCIL ACTION

**To:** Honorable Mayor and Members of the City Council

**From:** Patrick Urich, City Manager

**AGENDA DATE REQUESTED:** May 24, 2010

**ACTION REQUESTED:** ADOPT THE ATTACHED ORDINANCE AMENDING CHAPTER 20, ADDING SECTION 520-111 OF THE CODE OF THE CITY OF PEORIA PERTAINING TO POSSESSION OF CANNABIS OR DRUG PARAPHERNALIA.

**BACKGROUND:** The attached ordinance adds Section 20-111 to Chapter 20 of the Code of the City of Peoria to make the offense of possession of cannabis or drug paraphernalia an ordinance violation with the penalty of a fine. Other surrounding municipalities such as the Village of Bartonville, Peoria Park District, and the City of Normal have made the criminal offense of possession of cannabis or drug paraphernalia an ordinance violation that carries a fine as a penalty. The benefits of making this offense an ordinance violation offense are: 1) any fine that is paid will go directly to the City; 2) the result of "field testing" an illegal contraband can be used to prove an ordinance violation versus time-consuming and expensive lab testing for a criminal offense; and 3) the City will have more control over the prosecution of such offense. The fine amount for this offense mirrors what is used by the Village of Bartonville. Attached is a 2006 survey of the fine amounts of other municipalities that have adopted similar ordinances.

**NEIGHBORHOOD CONCERNS:** None.

**IMPACT IF APPROVED:** Allows the City to prosecute the offense of possession of cannabis or drug paraphernalia as an ordinance violation.

**IMPACT IF DENIED:** Maintains the status quo.

**ALTERNATIVES:** Not applicable.

**EEO CERTIFICATION NUMBER:** Not applicable.

**WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?**

1. Reduce crime.
2. Choose an item.
3. Choose an item.

## REQUIRED SIGNATURES

Department Director \_\_\_\_\_

Click here to enter text.

**Finance Director**

\_\_\_\_\_  
(Certification of Availability of Funds)

**Corporation Counsel**

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**City Manager**

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