

# AMENDMENT NO. 130 TO PEPIN COUNTY ORDINANCE 179

## Chapter 9- PEACE AND ORDER

That the Code of Ordinances and the Schedule of the County Ordinance Citation Deposits be Amended by adding Section 9.17

### **POSSESSION OF DRUG PARAPHERNALIA**

**BE IT ORDAINED BY THE COUNTY BOARD OF SUPERVISORS OF PEPIN COUNTY:**

#### **9.17 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE AND TITLE**

Section 1. Authority and Purpose. This Ordinance is enacted under of Section 59.03 Wis. Statutes.

Section 2. That the Code of Ordinance of the County of Pepin be amended by adding the Section 9.17 as follows:

(a) Definitions.

“Drug Paraphernalia” has the same meaning as the definition found in §961.571(1), Wis Stats.

(b) Possession or use.

No person may use or possess with the intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, prepare, test, analyze, repack, store, contain, conceal, ingest, inhale, or otherwise introduce into the human body, a controlled substance or controlled substance analog in violation of § 961.573 (1), Wis. Stats.

(c) Determination.

In determining whether an object is drug paraphernalia, a court or other authority shall consider the factors stated in § 961.572 Wis. Stats.

(d) Exemptions.

This article does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons as permitted under Chapter 961, Wis. Stats.

(e) Penalty.

Any person who violates this Section 9.17 is subject to penalty under §25.04 of this Code of Ordinances.

(f) Amendments.

Any future amendments, revisions or modifications of Chapter 961, Wis. Stats., or any other statutes referred to in this article are intended to be made part of this article as such amendments, revisions or modifications are made to said statutes.

(g) Effective Date.

This ordinance becomes effective upon the passage by the County Board of Supervisors and publication by the County Clerk as required by § 59.14, Wis. Stats.

**RECOMMENDED BY THE PEPIN COUNTY LAW ENFORCEMENT/ EMERGENCY  
MANAGEMENT COMMITTEE:**

**COMMITTEE MEMBERS VOTE**

/s/ Kevin Kosok, Committee Chair

In favor - 4   Oppose – 0   Absent – 0   Abstain - 1

**COUNTY BOARD ACTION:**

ADOPTED  
 DEFEATED  
 TABLED

by the Pepin County Board of Supervisors on this 20<sup>th</sup> day of January 2021

In favor – 11   Oppose – 0   Absent – 1   Abstain – 0

/s/ Audrey Bauer  
County Clerk

/s/ Tom Milliren  
County Board Chair

Published: 28 January 2021