

TIGARD MUNICIPAL CODE

Chapter 7.34 CONTROLLED SUBSTANCES.

Sections:

7.34.010 Definitions.

7.34.020 Frequenting A Place Where Controlled Substances Are Used.

7.34.030 Prohibited Acts Generally-- Penalties.

7.34.010 Definitions.

As used in this chapter the words shall have the same meaning as set forth in ORS 475.005 unless the context requires otherwise. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.34.020 Frequenting A Place Where Controlled Substances Are Used.

(a) A person commits the offense of frequenting a place where controlled substances are used if he keeps, maintains, frequents or remains at a place, while knowingly permitting persons to use controlled substances in such place or to keep or sell them in violation of ORS 475.005 through 475.285 and 475.991 through 475.995.

(b) Frequenting a place where controlled substances are used is a Class A misdemeanor.

(c) Notwithstanding subsection (b) of this section, if the conviction is for knowingly maintaining, frequenting or remaining at a place where one avoirdupois ounce of the dried leaves, stems and flowers of the plant Cannabis family Moraceae is found at the time of an arrest under this section, frequenting a place where controlled substances are used is a violation punishable by a fine of not more than one hundred dollars.

(d) As used in this section, "frequents" means repeatedly or habitually visits, goes to or resorts to. (Ord. 84-65 §2(Exhibit A(part)), 1984).

7.34.030 Prohibited Acts Generally-- Penalties.

(a) Except as authorized by ORS 475.005 through 475.285 and 475.991 through 475.995, it is unlawful for any person to manufacture or deliver a controlled substance. Any person who violates this subsection with respect to:

(1) A controlled substance in Schedule IV, is guilty of a Class B misdemeanor;

(2) A controlled substance in Schedule V, is guilty of a Class C misdemeanor.

(b) Notwithstanding the placement of marijuana in a schedule of controlled substances under ORS 475.005 through 475.285:

(1) Any person who delivers, for no consideration, less than one avoirdupois ounce of the dried leaves, stems and flowers of the plant Cannabis family Moraceae is guilty of a Class A misdemeanor, except that any person who delivers, for no consideration, less than five grams of the dried leaves, stems and flowers of the plant Cannabis family Moraceae is guilty of a violation, punishable by a fine of not more than one hundred dollars.

(c) It is unlawful for any person knowingly or intentionally to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by ORS 475.005 through 475.285 and 475.991 through 475.995. Any person who violates this subsection with respect to:

TIGARD MUNICIPAL CODE

(1) A controlled substance in Schedule III, is guilty of a Class A misdemeanor;

(2) A controlled substance in Schedule IV, is guilty of a Class C misdemeanor;

(3) A controlled substance in Schedule V, is guilty of a violation.

(4) Notwithstanding the placement of marijuana in a schedule of controlled substances under ORS 475.005 through 475.285, any person who knowingly or intentionally is in unlawful possession of less than one avoirdupois ounce of the dried leaves, stems and flowers of the plant Cannabis family Moraceae is guilty of a violation, punishable by a fine of not more than one hundred dollars. (Ord. 84-65 §2(Exhibit A(part)), 1984).■