

ARTICLE II

(Offenses and Penalties)

SECTION A (Possession of Drug Paraphernalia)

It is unlawful for any person to use, or to possess with the intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this Ordinance. Any person who violates this section, upon conviction, shall be fined not more that \$100.00, no portion of which may be suspended.

SECTION B (Manufacture or Delivery of Drug Paraphernalia)

It is unlawful for any persons to deliver, possess, with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grown, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance, in violation of this Ordinance. Any person who violates this section, upon conviction, shall be fined not more than \$100.00, no portion of which may be suspended.

SECTION C (Delivery of Drug Paraphernalia to a Minor)

Any person 18 years of age or over who violates Section B by delivering drug paraphernalia to a person under 18 years of age who is at least 3 years his junior, upon conviction, shall be fined not more than \$100.00, no portion of which may be suspended.

SECTION D (Advertisement of Drug Paraphernalia)

It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or part, is to promote the sale of objects designed or intended for use as drug paraphernalia. Any person who violates this section, upon conviction, shall be fined not more than \$100.00, no portion of which may be suspended.

ARTICLE II

(Civil Forfeiture)

All drug paraphernalia as defined above shall be, upon proof of a violation, as set forth above, subject to civil seizure and forfeiture.

ARTICLE IV

(Severability)

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or application of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

ORDINANCE REVIEWED AND APPROVED ON THIS ____ DAY OF _____, _____

By the Board of Selectmen of the
Town of Lincoln, New Hampshire

