

**WOODBURY COUNTY, IOWA**  
ORDINANCE NO. 10

TITLE: This ordinance shall be known and cited as the "County Ordinance Prohibiting the Possession of Drug Paraphernalia" of Woodbury County, Iowa.

**WHEREAS**, the Woodbury County Board of Supervisors finds that drug paraphernalia poses a threat to the peace and well being of the citizens of Woodbury County through its relation to and involvement with the production and use of drugs;

**WHEREAS**, the Woodbury County Board of Supervisors finds that Iowa law currently fails to properly address some of the concerns central to the prevention of drug use;

**WHEREAS**, the Woodbury County Board of Supervisors finds that this Ordinance will aid in the protection of the peace and safety of the citizens of Woodbury County;

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA:**

Drug Paraphernalia

- A. The purpose of this ordinance is to prohibit the use, possession with intent to use, manufacture and delivery of drug paraphernalia as defined herein.
- B. The term "controlled substance" as used in this ordinance is defined as the term "controlled substance" is defined in the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa, as it now exists or is hereafter amended.
- C. The term "drug paraphernalia" as used in this ordinance means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 124 of the Code of Iowa. It includes, but is not limited to:
1. Growing Kits. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.
  2. Processing Kits. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.

3. Isomerization Devices. Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.
4. Testing equipment. Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.
5. Scales. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances.
6. Dilutents. Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose or lactose, methyl sulfonyl methane (MSM), used, intended for use, or designed for use in cutting controlled substances.
7. Separators - Sifters. Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining a controlled substance.
8. Mixing Devices. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances.
9. Containers. Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances.
10. Storage Containers. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances.
11. Injecting Devices. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.
12. Ingesting - Inhaling Device. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing heroin, marijuana, cocaine, hashish, or hashish oil into the human body, such as:
  - a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
  - b. Water pipes;
  - c. Smoking and carburetion masks;
  - d. Roach clips, meaning objects used to hold burning materials, such as a marijuana cigarette that has become too small or too short to be held in the hand;
  - e. Miniature cocaine spoons and cocaine vials.

D. In determining whether an object is drug paraphernalia for the purpose of enforcing this ordinance the following factors should be considered in addition to all other logically relevant factors:

1. Statements. Statements by an owner or by anyone in control of the object concerning its use.