

Public Hearing: 9/30/2013

F A C T S H E E T

TITLE: Adding new LMC Chapter 9.48 -
Alcohol and Drug Offenses

SPONSOR: Law Department

OPPONENTS:

OTHER DEPARTMENTS AFFECTED:

STAFF RECOMMENDATION: For

APPLICANT: Law Department

REASON FOR LEGISLATION:

Repealing, amending, and adding sections to the Lincoln Municipal Code to create a new Chapter 9.48, Alcohol and Drug Offenses.

D I S C U S S I O N

When Chapter 5.04 was amended, a new penalty section was added proscribing a penalty greater than authorized for violation of several sections comparable to state statute. The best remedy was to move those sections to a new Chapter, 9.48, since they all dealt with individual conduct and not with the regulation of liquor licenses.

The provisions in Title 9 that dealt with possession of marijuana, drug paraphernalia, and toxic compounds were moved to the same new Chapter, combining crimes dealing with alcohol, marijuana, and toxic compounds. This provided the ability to add penalty language to individual sections, when necessary, and placing violations of a similar nature in one chapter of the L.M.C.

The addition of this chapter should make it easier to find specific violations and effectively allow for any necessary amendments.

POLICY OR PROGRAM CHANGE:

COST OF TOTAL PROJECT:

SOURCE OF FUNDS:

CITY:

NON CITY:

BENEFIT COST:

FACT SHEET PREPARED BY: John C. McQuinn, Chief Prosecutor, Law Department

REVIEWED BY: