

Woonsocket

Chapter 14 – Miscellaneous Offenses and Provisions

Sec. 14-15. Sale of drug and tobacco paraphernalia.

No Drug and Tobacco Paraphernalia Establishment may be located two hundred (200') feet or less from schools, child care facilities, parks and other locations frequented largely by children.

Any premises where drug and paraphernalia is displayed for sale, offered for sale or sold, shall be defined, for the purposes of this ordinance, as a "Drug and Tobacco Paraphernalia Establishment."

1. Drug and tobacco paraphernalia is defined as:

a. Including but not limited to one or more of those items identified in that list set forth in Subdivision c. below, shall mean any device designed primarily for use by individuals for the smoking or ingestion of tobacco, marijuana, hashish, hashish oil, cocaine or any other "controlled substance," as that term is defined by Rhode Island General Laws.

b. A device "designed primarily for" the smoking or ingestion set forth in subdivision a. above, is a device which has been fabricated, constructed, altered, adjusted, or marked especially for use in the smoking or ingestion of tobacco, marijuana, hashish, hashish oil, cocaine or any other "controlled substance," and is peculiarly adapted to that purposes by virtue of a distinctive feature or combination of features associated with tobacco or drug paraphernalia, notwithstanding that it might also be possible to use the device for some other purpose.

c. Includable items or devices:

(1) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes, with or without screens permanent or otherwise, heads or punctured metal bowls;

(2) A device constructed as to prevent the escape of smoke into the air and to channel smoke into a chamber where it may be accumulated to permit inhalation or ingestion of larger quantities of smoke that would otherwise be possible, whether the device is known as a "bong," or otherwise;

(3) A smokeable pipe constructed with a receptacle or container in which water or other liquid may be placed into which smoke passes and is cooled in the process of being inhaled or ingested;

(4) A smokeable pipe which contains a heating unit, whether the device is known as an "electric pipe," or otherwise;

(5) A device constructed so as to permit the simultaneous mixing and ingestion of smoke and nitrous oxide or other compressed gas, whether the device is known as a "buzz bomb," or otherwise;

(6) A canister, container or other device with a tube, nozzle or other similar arrangement attached and so constructed as to permit the forcing of accumulated smoke into the user's lungs under pressure;

(7) A device for holding burning material, such as a cigarette that has become too small or too short to be held in the hand, whether the device is known as a "roach clip," or otherwise;"

d. Lighters and matches shall be excluded from the definition of tobacco and drug paraphernalia.

2. Nothing in the definition of Drug and Tobacco Paraphernalia Establishments is intended to, nor shall be interpreted as legalizing or applying to the delivery, furnishing, transferring, possessing or manufacture of drug paraphernalia or any use otherwise prohibited by state or federal law.

3. Penalties: Any business owner found to be in violation of this section shall be given a warning upon first offense. Upon second offense within a twelve-month period, a fine of one hundred dollars (\$100) shall be imposed. Upon third offense within a twelve-month period, a fine of two hundred dollars (\$200) shall be imposed. Any subsequent offense within a twelve-month period shall be punishable by a fine of five hundred dollars (\$500) for each offense. (Ch. No. 7596, Sec. 1, 4-8-11)