

germination.

- (H) **Simulated Controlled Substance** means any product which identifies itself by a common name or slang term associated with a controlled substance and which indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.
- (I) **Tetrahydrocannabinol** means any material, compound, mixture, or preparation which contains any quantity of the synthetic equivalent of the substances contained in the plant, or in the resinous extractives of *Cannabis*, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers, Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers, Delta 3,4 cis or trans tetrahydrocannabinol, and their optical isomers. Compounds of these structures are covered, regardless of numerical designations of atomic positions, as are their salts, isomers, and salts of isomers.

14-902

POSSESSION OF MARIJUANA AND THC.

Except as authorized by the Uniform Controlled Substance Act, K.S.A. 65-4101 *et seq.*, and amendments thereto, it shall be unlawful for any person to possess or have under such person's control marijuana or tetrahydrocannabinol. (Ord. 7938)

14-903

POSSESSION OF DRUG PARAPHERNALIA AND SIMULATED CONTROLLED SUBSTANCES.

- (A) No person shall use or possess with intent to use:
 - (1) Any simulated controlled substance.
 - (2) Any drug paraphernalia to use, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act, K.S.A. 65-4101 *et seq.*, and amendments thereto.
- (B) No person shall deliver, possess with intent to deliver or cause to be delivered any drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to use, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of K.S.A. 21-5706, and amendments thereto.
- (C) In determining whether an object is drug paraphernalia, the finder of fact shall consider, in addition to all other logically relevant factors, the following:
 - (1) Statements of the owner or person in control of an object concerning its use.
 - (2) Prior convictions, if any, of an owner or person in control of the object under any state or federal law relating to any