

ORDINANCE NO. 2011-05

An Ordinance Prohibiting Synthetic Cannabinoid

The Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1. Section 11-2-11(d) of the Municipal Code of the City of Cedarburg is hereby amended as follows:

SEC. 11-2-11(d) SYNTHETIC CANNABINOID PROHIBITED.

(d) SYNTHETIC CANNABINOID PROHIBITED.

- (1) It shall be illegal for any person to use, possess, purchase, attempt to purchase, sell, publicly display for sale or attempt to sell, give, or barter any one or more of the following chemicals whether under the common street or trade names of "Spice", "K2", "Genie", "Yucatan Fire", "fake" or "new" marijuana, or by another name, label or description:
 - a. Salviadinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts;
 - b. (6aR, 10aR)-9-(hydroxymethyl)-6, 6dimethy-3-(2methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol some trade or other names: HU-210;
 - c. 1-Pentyl-3-(1-naphthoyl) indole-some trade or other names: JW11-018\spice;
 - d. 1-Butyl-3-(1naphthoyl) indole-some trade or other names: JWH-073;
 - e. 1-(3{trifluoromethylphenyl}) piperazine-some trade or other names: TFMPP;
 - f. or any similar structural analogs.
 - g. Medical or Dental Use Allowed. Acts otherwise prohibited under this section shall not be unlawful if done by or under the direction or prescription of a physician, dentist, or other medical health professional, licensed by the State of Wisconsin, provided that such use is permitted under Wisconsin and federal laws.
- (2) **Penalties.**
 - (a) Any chemical used in violation of this section shall be seized and forfeited to the City.
 - (b) Any person who violates sub. (1) a., b., c., d., e., or f. shall, upon conviction, be subject to a forfeiture of not less than \$100.00 and not more than \$500.00, together with the costs of prosecution, and upon default of payment be imprisoned in the county jail or house of correction until the costs are paid, but not to exceed 90 days.

SECTION 2. This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted this 11th day of April 2011.

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Gregory P. Myers, Mayor

Countersigned:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney