

ORDINANCE NO. 10-2010

ORDINANCE OF THE TOWN OF MORRISTOWN, INDIANA, PROHIBITING THE SALE OF SUBSTANCES CONTAINING SYNTHETIC CANNABINOIDS OR THEIR USE IN PUBLIC FACILITIES

WHEREAS, the Town Council of Morristown, Indiana ("Council") has been made aware that substances containing synthetic cannabinoids, which include substances containing one or more of the following chemical compounds:

- (1) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as HU-210;
- (2) 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018;
- (3) 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073; or
- (4) Any other equivalent compound or derivative

("Products") have been marketed, sold and offered for sale to the residents of Morristown, Indiana ("Morristown), including minors; and

WHEREAS, the citizens of Morristown and various elected and law enforcement officers have noted increased use of such Products, currently marketed and sold under the name of K2 and Spice; and

WHEREAS, Indiana law provides that the County Executive or elected body sitting and operating as a County Executive may enact Ordinances to promote the safety, health and welfare of its citizenry; and

WHEREAS, the Products containing synthetic cannabinoids have not been tested by the Food and Drug Administration, U.S. Department of Agriculture, or any other governmental agency for human consumption and may contain chemicals detrimental to the health and welfare of those who may ingest them; and

WHEREAS, medical studies and treatises note deleterious health risks and adverse effects associated with synthetic cannabinoids and the Products; and

WHEREAS, the smoke emanating from the burning or incineration of the Products may cause adverse effects on bystanders or those in the vicinity of such activity; and

WHEREAS, the Council believes it is in the best interests of its citizens to prohibit the sale, marketing, or offering for sale of the Products within Morristown's municipal boundaries to protect the health, safety and welfare of the citizens and children of Morristown.

NOW THEREFORE BE IT ORDAINED BY THE MORRISTOWN TOWN COUNCIL as follows:

1. Products containing synthetic cannabinoids ("Products") such as K2, Spice or similar products that contain one or more of the following chemical compounds:

- (1) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as HU-210;
- (2) 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018;
- (3) 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073; or
- (4) Any other equivalent compound or derivative

shall not be sold, marketed, or offered for sale within Morristown, Indiana; and

2. Products containing synthetic cannabinoids ("Products") may not be burned, incinerated or ignited in any public place or on any property owned, leased or controlled by Morristown, Indiana.

Persons or entities violating the provisions of this ordinance shall be subject to the penalty imposed for Class B infractions, as set forth in Indiana Code § 34-28-5-4. Accordingly, this ordinance shall be enforced by the provisions of Indiana Code § 34-28-5.

This Ordinance shall be in full force and effect upon publication as required by Indiana law.

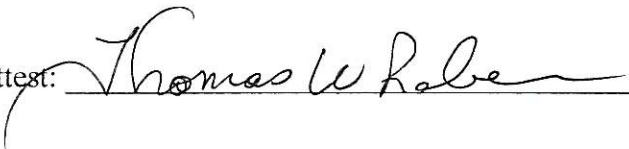
Approved and adopted by a vote of 3 to 0 on September 8, 2010.

Morristown Town Council.

By: 

By: 

By: 

Attest: , Clerk-Treasurer