

ORDINANCE NUMBER 2012-05-16

TOWN OF UNION, BURNETT COUNTY, STATE OF WISCONSIN

WHEREAS, the Union Town Board has determined that herbal preparations powdered or sprayed with a chemical synthetic cannabinoid could be available for sale within the Town of Union that claims to produce intoxicating effects similar to THC or marijuana.

WHEREAS, while the substances are not yet categorized as illegal controlled substances under Wisconsin or federal law several other countries, states and municipalities have already taken action to prohibit these substances, due to increased overdoses and other negative health concerns.

WHEREAS, while these synthetic cannabinoid substances are often marketed as benign and legal alternatives to marijuana, they are potentially dangerous to users as the substances can create potency from 3 up to 100 times greater than marijuana, produce severe adverse health conditions such as hallucinations, paranoia, seizures and vomiting based on reported emergency room experiences in areas of the country where use is more prevalent and further that long term health effects of use of these substance are not yet known.

WHEREAS, it has been determined that the effects of these substances are a health, safety and welfare concern to the citizens of the Town of Union.

NOW, THEREFORE, THE TOWN OF UNION BOARD DOES ORDAIN AS FOLLOWS:

Section 1 – That Ordinance 2012-05-16 of the Town of Union shall be created to read as follows:

POSSESSION, USE AND SALE ARE ILLIEGAL. It shall be illegal for any person to use, posses, purchase, attempt to purchase, sell, publicly display or 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 any other name, label or description.

- A. Salviadivinorum 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 seed or extracts.
- B. (6aR)-9 (hydroxymethyl)-6, 6dimethyl-3 (2methyloctane-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: JWH-018/spice.
- D. 1-Butyl 3-1 (naphthoyl) indole some trade or other names: JWH-073.
- E. 1-(3(triflouromethylphenyl)) piperazine-some trade or other names: TFMPP;
- F. Or any similar structural analogs

MEDICAL OR DENTAL USE ALLOWED: Acts otherwise prohibited under Ordinance 2012-05-16 shall be lawful if done by or under the direction or prescription of a licensed physician, dentist or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.

PENALTIES: Any adult person violating this ordinance shall be subject to a forfeiture of not less than \$100.00 nor more than \$500.00, exclusive of costs, and upon failure to pay the same shall be confined to the County Jail for not more than 30 days.

Section 2 – This Ordinance shall become effective upon passage and publication.

Dated this 16th day of May, 2012

Motion by: Marv Merle
Seconded by: Wayne Burmeister
Ayes: 3 Nays: 0
Absent: 0 Abstained: 0

Signatures of the Union Town Board:

Chairman: Tom Niela

Supervisor: Martin A. Merle

Supervisor: Wayne Burmeister

Town Clerk: David T. Ohsa