

CHAPTER 14

SYNTHETIC CANNABINOID CONTROL

SECTION:

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6-14-1: DEFINITIONS:

1. **PERSON:** Any individual, corporation, partnership, trust, limited liability company, firm, association, or retainer or any licensed or unlicensed business.
2. **ILLEGAL SMOKING PRODUCT:** Any substance, whether described as tobacco, herbs, incense, spice or any blend thereof, regardless of whether the substance is marketed for the purpose of being smoked, which includes any one or more of the following chemicals:
 - a. 2- $\{(1R,3S)\}$ -3-hydroxycyclohexyl $\}$ -5-(2-methyloctan-2-yl)phenol (also known as CP47, 497) and homologues;
 - b. (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10a-tetrahydrobenzo $\{c\}$ chromen-1-ol) (also known as HU-211 or Dexamabinol);
 - c. 1-Pentyl-3-(1-naphthoyl)indole (also known as JWH-018); or
 - d. Butyl-3-(1naphthoyl)indole (also known as JWH-073)

6-14-2: UNLAWFUL TO SELL, OFFER, GIFT OR DISPLAY:

It shall be unlawful for any person to sell, offer to sell, gift or publicly display for sale any illegal smoking product.

6-14-3: POSSESSSION UNLAWFUL:

It is unlawful for any person to knowingly possess any illegal smoking product.

6-14-4: PENALTY AND INJUNCTIVE RELIEF:

- A. Each day a violation of Section 1 exists shall be considered a separate offense.
- B. The Village Attorney may institute any action for injunctive relief to enforce the provision of this Section 1.

C. Every act or omission constituting a violation of any of the provisions of this chapter by any agent or employee of any person shall be deemed and held to be the act of such person, and said person shall be punishable in the same manner as if said act or omission had been done or omitted by him or it personally, provided such act or omission was within the scope of employment or the scope of authority of such agent or employee.

D. Any person who shall violate or fail to comply with any of the provisions of this chapter shall be subject to penalty as provided in Title One Chapter Four of this code.

6-14-5: EFFECTIVE DATE:

This Ordinance shall be in full force and take effect from and after its passage, approval and publication as required by law.

6-14-6: SAVINGS CLAUSE:

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

6-14-7: SEVERABILITY CLAUSE:

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Trustees that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which has been invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the Village and shall thereafter be binding.