

BOARD OF COMMISSIONERS OF GIBSON COUNTY

ORDINANCE NO. 2010-02

AN ORDINANCE PROHIBITING THE SALE OF SUBSTANCES CONTAINING
SYNTHETIC CANNABINOIDS OR THEIR USE IN PUBLIC FACILITIES

WHEREAS, The Board of Commissioners of Gibson County have 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 Gibson County, including minors; and

WHEREAS, the citizens of Gibson County and various elected and law enforcement officials have noted an increased use of such Products, currently marketed and sold under the name of K2 and Spice; and other names and;

WHEREAS, Gibson County Commissioners are concerned about the health and welfare of the citizens of their county;

WHEREAS, Indiana law provides that the County Executive may enact Ordinances to promote and protect 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 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, several states and municipalities throughout the United States have banned the Products and synthetic cannabinoids as a danger to public health and welfare; 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 Board of Commissioners of Gibson County believe it is in the best interests of its citizens to prohibit the sale, marketing, or offering for sale of the Products within Gibson County, Indiana, to protect the health, safety and welfare of the citizen~~s~~ and children of Gibson County.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Gibson County, Indiana, as follows:

1. Products containing synthetic cannabinoids

("Products"), such as K2/Spice, or similar products which 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 Gibson County, Indiana; and


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

Persons or entities violating the provisions of this ordinance shall be subject to the penalty imposed for a Class B infraction, 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 pursuant to Indiana law.

ALL OF WHICH IS ORDAINED by the Board of Commissioners of Gibson County, Indiana, this 16th day of Nov., 2010.

BOARD OF COMMISSIONERS
OF GIBSON COUNTY


BOB TOWNSEND, PRESIDENT


DON WHITEHEAD

GERALD BLEDSOE

ATTEST: (SEAL)


MARY KEY, AUDITOR