

CITY OF FARMINGTON, MISSISSIPPI

AN ORDINANCE PROHIBITING THE USE, PURCHASE, POSSESSION, SALE AND OFFERING FOR SALE THE SYNTHETIC CANNABINOID, KNOWN AS "SPICE", "K-2", "FIRE NICE" AND OTHER SYNTHETIC PRODUCTS AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Board of Alderman of the City of Farmington, Mississippi have determined that certain businesses within the City of Farmington, Mississippi are selling or may endeavor to sell certain substances when ingested, produce intoxicating effects similar to THC or marijuana and/or methcathione; and

WHEREAS, the substances are not yet categorized as illegal controlled substances under state or federal law; and

WHEREAS, the substances, which are described below are often used as an alternative to marijuana and other controlled substances and are potentially dangerous to users and further, the long term effects are not yet known; and

WHEREAS, it has been determined that the effects of these substances are a health concern to the citizens of the City of Farmington, Mississippi;

BE IT ORDAINED BY THE GOVERNING AUTHORITIES OF THE CITY OF FARMINGTON UPON MOTION BY ALDERMAN Johnny Jette, WITH SECONDED BY ALDERMAN Lowell Evans, AS FOLLOWS:

Section 1. It is hereby declared to be unlawful for any person to use, possess, purchase, attempt to purchase, sell, publicly display for sale or attempt to sell or give, any one or more of the following chemicals within the city limits of the City of Farmington, Mississippi:

- (A) Salviadinorum or salvinorum A: all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof an 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)-6,6dimethyl-3-(2-methyloctan-2-yl)-6a7,. 10. 10a-tetrahydrobenzo[c]chromen-1-01 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-[trifluoromethylphenyl]) piperazine-some trade or other names: FMPP;
- (F) 4-methoxy methcathione, Ethylcathinone, 3,4-methylenedioxypropylverone and related analogs and CP-47,497 and related homologs.
- (G) or any similar structural analogs.

Section 2. If any of the aforementioned substances are found in the possession of any person, they may be confiscated and destroyed by law enforcement officials.

Section 3. It is not an offense under Section 1 above of this Ordinance if the person was acting at the direction of an authorized agent of the City of Farmington, Mississippi to enforce or ensure compliance with this law prohibiting the sale of the aforementioned substance.

Section 4. This ordinance does not apply to any person who commits any act described in this ordinance pursuant to the direction or prescription of a licensed physician or dentist authorized to direct or prescribe such act. This Ordinance likewise does not apply to the inhalation of anesthesia for a medical purpose or dental purpose.

Section 5. Any person found to be in violation of this ordinance will be guilty of a misdemeanor and/or subject to a term of imprisonment not to exceed (90) ninety days and a fine not to exceed \$1,000 and/or both.

Section 6. For the reasons stated above and in order to protect the health and safety of the citizens of Farmington, Mississippi, this ordinance shall take effect immediately upon passage.

THEREFORE, BE IT ORDAINED AS FOLLOWS:

The above and foregoing Ordinance having first been reduced to writing was read by the Clerk and motion by Johnny Potts, seconded by Lowell Shree and considered by the Board of Aldermen section by section, and as a whole, was adopted by the following vote:

Ernest Cole	<u>year</u>
Lowell E. Gann	<u>year</u>
Mac Grisham	<u>year</u>
Bill Hebert	<u>about</u>
Johnny Potts	<u>year</u>

The foregoing Ordinance having received the affirmative vote of a majority of the City Council, the Mayor declare said Ordinance adopted as of this 12 day of August, 2010.

Dale Fortenberry
Dale Fortenberry-Mayor

Attested by:
Deborah Jackson
Deborah Jackson, Municipal Clerk



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- (A) Salviadinorum or salvinorum A: all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof an extract from any part of such plant, and every compound, manufacture salts derivative, mixture or preparation of such plant, its seeds or extracts;
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The above and foregoing Ordinance having first been reduced to writing was read by the Clerk and motion by Johnny Potts, seconded by Arnell Shaw and considered by the Board of Aldermen section by section, and as a whole, was adopted by the following vote:

Ernest Cole	<u>yes</u>
Lowell E. Gann	<u>yes</u>
Mac Grisham	<u>yes</u>
Bill Hebert	<u>absent</u>
Johnny Potts	<u>yes</u>

The foregoing Ordinance having received the affirmative vote of a majority of the City Council, the Mayor declare said Ordinance adopted as of this 17 day of August, 2010.

Dale Fortenberry
Dale Fortenberry-Mayor

Attested by:

Debra Jackson
Debra Jackson, Municipal Clerk

