

THE BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA

GENERAL ORDINANCE NO. 85-03, 2012

AN ORDINANCE AMENDING GENERAL ORDINANCE 85-6, 2010, PROHIBITING THE USE, PURCHASE, POSSESSION, SALE, AND OFFERING FOR SALE, OF SUBSTANCES CONTAINING SYNTHETIC CANNABINOIDS

Substances containing synthetic cannabinoids, commonly referred to as "K2" or "Spice" ("Products"), 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,

are being used, possessed, purchased, sold, and offered for sale in Wabash County, Indiana; and

The Products 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 use or possess them; and

Indiana law provides that the Board of Commissioners may enact ordinances to promote and protect the safety, health and welfare of its citizenry; and

Several states and municipalities throughout the United States have banned the Products as a danger to public health and welfare; and

On or about September 7, 2010, the Board adopted General Ordinance 85-6, 2010, prohibiting the use, possession, purchase, sale, or offering for sale, of the Products within Wabash County, Indiana;

The Board believes it is in the best interests of its citizens to amend that ordinance to provide that violators will be subject to the penalty imposed for a Class A infraction, as set forth in Indiana Code 34-28-5-4.

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS:

1. Products, such as K2 and Spice, 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 used, possessed, purchased, sold, or offered for sale within Wabash County, Indiana.

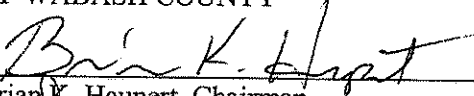
2. Persons or entities violating the provisions of this ordinance shall be subject to the penalty imposed for a Class A infraction, as set forth in Indiana Code 34-28-5-4.

3. This ordinance shall be enforced by the provisions of Indiana Code 34-28-5.

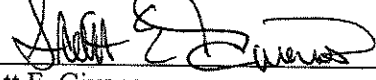
4. This Ordinance shall be in full force and effect upon publication pursuant to Indiana law.

ADOPTED this 12th day of MARCH, 2012.

BOARD OF COMMISSIONERS
OF WABASH COUNTY



Brian K. Haupert, Chairman



Scott E. Givens



Barry J. Eppley

ATTEST:



Jane Ridgeway, Wabash County Auditor