

ORDINANCE NO. 2010-8

AN ORDINANCE PROHIBITING THE SALE, USE,  
AND POSSESSION OF SUBSTANCES CONTAINING  
SYNTHETIC CANNABINOIDS

**WHEREAS**, pursuant to IC 36-8-2-4, a county may regulate conduct, use, or possession of property that might endanger the public health, safety, or welfare, and under IC 36-8-2-10, a county may regulate the operation of businesses; and

**WHEREAS**, the Board of Commissioners of Warren County, Indiana desires to adopt regulations concerning the use, possession, and sale of synthetic cannabinoids and other substances which, when ingested, produce intoxicating effects similar to THC or marijuana to decrease the chances of injury to persons and help preserve the health of its citizens; and

**WHEREAS**, the effects of synthetic cannabinoids and other substances, which are described below are a health concern to the citizens of Warren County; the substances are not yet categorized as illegal controlled substances under state or federal law; and the substances, used as an alternative to marijuana, are potentially dangerous to users and have unknown long term effects;

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

1. *Synthetic Cannabinoid*. As used in this ordinance, the term "synthetic cannabinoid" means any of the following:

(A) All parts of the plant presently classified botanically as *Salvia divinorum*, whether growing or not, any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or its extracts:

(B) HU-210, a substance also known as (6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-01;

(C) JWH-018, a substance also known as Naphthalen-1-yl-(1-pentylindol-3-yl) methanone;

(D) JWH-073, a substance also known as Naphthalen-1-yl-(1-butylindol-3-yl) methanone;

(E) TFMPP, a substance also known as 1-[3-(trifluoromethyl)phenyl]piperazine;

(F) Cannabicyclohexanol, a substance also known as 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl) phenol;

(G) CP-47,497, a substance also known as 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol;

(H) JWH-250, a substance also known as 2-(2-methoxyphenyl)-1-(1-pentylindol-3-yl) ethanone;

(I) Structural analogs of any of these substances.

(J) Any herbal-based substance sold under the name of K2, Spice, Acapulco Spices, Serenity Now, Spice Gold, Shokotsu, Afghan Incense, Baked, Black Magic, Buzz, Cherry Charm, Fire Bird, Fire "N" Ice, Pulse, Solitude or Voodoo, or any other herbal-based substance containing the foregoing described substances.

2. A person may not sell, barter, give, publicly display for sale, or attempt to sell, give or barter, or to possess any synthetic cannabinoid.

3. (A) The Warren County Sheriff's Department is responsible for the interpretation and civil enforcement of this ordinance.

(B) Enforcement personnel from the Warren County Sheriff's Department may seize and destroy synthetic cannabinoids that are in violation of this ordinance.

(C) A person in violation of this ordinance shall be fined two hundred fifty dollars (\$250.00). Each day a violation occurs or continues

constitutes a separate offense.

4. (A) It is a defense under this ordinance that a person otherwise in violation is acting at the direction of an authorized agent of the County of Warren to enforce or ensure compliance with this ordinance.

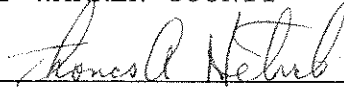
(B) It is a defense under this ordinance that a person otherwise in violation is acting, with respect to the violation, under the direction or prescription of a person who holds an unlimited license to practice medicine under IC 22-22.5 or a license to practice dentistry under IC 25-14.

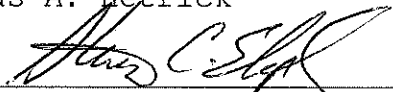
(C) It is a defense under this ordinance that a person otherwise in violation is acting, with respect to the violation, in connection with a bona fide research or scientific endeavor funded by public entities or non-profit organizations.

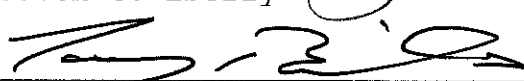
This ordinance shall be in full force and effect immediately upon passage.

**ORDAINED** by the Board of Commissioners of Warren County, Indiana this 20<sup>th</sup> day of September, 2010.

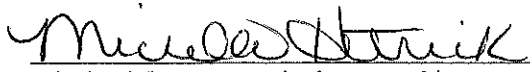
BOARD OF COMMISSIONERS  
OF WARREN COUNTY

  
\_\_\_\_\_  
Thomas A. Hetrick

  
\_\_\_\_\_  
Steven C. Eberly

  
\_\_\_\_\_  
Anton "Tony" Briles

ATTEST:

  
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Michelle Hetrick, Auditor of  
Warren County, Indiana