

**ORDINANCE 1664**  
**ORDINANCE PROHIBITING THE USE, PURCHASE,**  
**POSSESSION, DISTRIBUTION, SALE OR OFFERING FOR SALE OF**  
**SYNTHETIC CANNABINOIDS OR OTHER SYNTHETIC PRODUCTS**

**WHEREAS**, the Mayor and Board of Aldermen of the City of Amory, Mississippi have determined that certain substances are being sold within the City of Amory, Mississippi, that, when ingested, produce intoxicating effects similar to TETRAHYDROCANNABINOL (THC) or marijuana and/or Methcathinone; and

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

**WHEREAS**, the substances described below are often used as an alternative to marijuana and other controlled substances and are potentially dangerous to users; and

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

**WHEREAS**, the Mayor and Board of Aldermen of the City of Amory, Mississippi, have determined the need to establish regulations preventing the use, possession, purchase, distribution, sale or attempt to use, possess, purchase, distribute or sale or publicly display for sale any one or more of the following chemicals or substances within the city limits of the City of Amory, Mississippi; and therefore adopt the following regulations and penalties; and

**WHEREAS**, pursuant to Section 21-13-11 of the Mississippi Code Annotated (1972), this Ordinance Prohibiting The Use, Purchase, Possession, Distribution, Sale Or Offering For Sale Of Synthetic Cannabinoids Or Other Synthetic Products is for the immediate and temporary preservation of the public peace, health and safety, and shall become effective immediately upon its adoption, and prior to being recorded and published, as the best interests of the public will be served by the immediate effectiveness of this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Aldermen of the City of Amory, Mississippi, as follows:

**SECTION 1.** No person shall use, possess, purchase, distribute, sale or attempt to use, possess, purchase, distribute or sale or publicly display for sale any one or more of the following chemicals within the city limits of the City of Amory, Mississippi:

- (A) Salviadivorum or salvinatorum 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-ol – 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: TFMIP;
- (F) 4-methoxymethcathione and Ethylcathinone;
- (G) or any similar structural analogs.

If any of the aforementioned substances shall be found in the possession of any person, unless specifically excluded herein, the substances shall be confiscated and destroyed by law enforcement officials.

**SECTION 2.** It shall not be an offense under this Ordinance if a person shall be acting at the direction of an authorized agent of the City of Amory, Mississippi, to enforce or ensure compliance with this law prohibiting the use, possession, purchase, distribution or sale or the attempt to use, possess, purchase, distribute or sale or publicly display for sale the aforementioned substances.

This Ordinance shall not apply to any person who shall commit any act described in this Ordinance pursuant to the direction or prescription of a duly licensed physician or dentist authorized to direct or prescribe such act. This Ordinance shall not apply to the inhalation of anesthesia for a medical or dental purpose, which inhalation of anesthesia shall be administered by or under the supervision of a duly licensed physician or dentist.

**SECTION 3.** Any person found to be guilty of violating this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment not exceeding six (6) months, or both.

**SECTION 4.** That all provisions of the ordinances of the City of Amory in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other provisions of the ordinances of the City of Amory not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

**SECTION 6.** This ordinance shall become effective immediately. The City Clerk shall cause the ordinance to be published in a local newspaper with a general circulation.

The foregoing ordinance was proposed in a motion by Alderman Tony Poss, seconded by Alderman John E. Darden and after discussion, and no council member having called for a reading, was brought to a vote as follows:

Alderman Buddy Carlisle	Voted <u>Aye</u>
Alderman John Darden	Voted <u>Aye</u>
Alderman Tony Poss	Voted <u>Aye</u>
Alderman Bill Lyle	Voted <u>Aye</u>
Alderman Tommy Wilkerson	Voted <u>Aye</u>


Whereupon, the motion having received a majority of affirmative votes, the Mayor of the City of Amory, Mississippi, declared that the Ordinance had been passed and adopted on this the 17<sup>th</sup> day of August, 2010.

**CITY OF AMORY, MISSISSIPPI**

BY: 

**HOWARD BOOZER, MAYOR**

**ATTEST:**

  
**GLENN HOWELL, CITY CLERK**