

CHAPTER 9

Offenses Involving Synthetic Cannabinoids

- 10-9-1 Possession, Use and Sale
- 10-9-2 Penalties

SEC. 10-9-1 POSSESSION, USE AND SALE.

- (a) It shall be illegal for any person to knowingly use, possess, purchase, attempt to purchase, sell, publically display for sale or attempt to sell, give, barter, or distribute any one or more of the following chemicals whether under the common street or trade names of "Spice", "K2", "Genie", "Yucatan Fire", "Purple Magic", "fake" or "new" marijuana, or by any other name, label or description:
- (1) Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts.
 - (2) (6aR, 10aR)-9-(hydroxymethyl)-6, 6dimethyl-3-(2methyloctan-2-yl)-6a, 7, 10, 10atetrahydrobenzo[c]chromen-1-ol some trade or other names: HU-210.
 - (3) 1-Pentyl-3-(1-naphthoyl) indole-some trade or other names: JWH-018spice.
 - (4) 1-Butyl-3-(1naphthoyl) indole-some trade or other names: JWH-073.
 - (5) 1-(3{trifluoromethylphenyl}) piperazine-some trade or other names: TFMPP.
 - (6) 1-[2-(4-morpholinyl)-3-(1-naphthoyl)indole
 - (7) 5-(1,1-dimethylheptyl)-2-[(1 R, 3 S)-3-hydroxycyclohexyl]-phenol
 - (8) 5-(1,1-dimethyloctyl)-2-[(1, R, 3 S)-3-hydroxycyclohexyl]-phenol
 - (9) Or any similar structural analogs.
- (b) Acts otherwise prohibited under subsection (a) shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.

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SEC. 10-9-2 PENALTIES.

- (a) A person who violates the Ordinance is subject to a forfeiture of:
- (1) Not less than one hundred (\$100) and not more than five hundred dollars (\$500) if the person has not committed a previous violation within twelve (12) months of the violation; or
 - (2) Not less than two hundred dollars (\$200) nor more than five hundred dollars (\$750) if the person has committed a previous violation within twelve (12) months of the violation.
 - (3) A court shall suspend any license or permit issued under Sec. 134.65, 139.34 or 139.79, Wis. Stats., to a person for:
 - a. Not more than 3 days, if the court finds that the person committed a violation within 12 months after committing one previous violation;
 - b. Not less than 3 days nor more than 10 days, if the court finds that the person committed a violation within 12 months after committing 2 other violations; or
 - c. Not less than 15 days nor more than 30 days, if the court finds that the person committed the violation within 12 months after committing 3 or more other violations.
 - (4) The court shall promptly mail notice of a suspension under 10-8-2(a)(3) above to the department of revenue and to the city clerk which issued the license or permit to the person.