

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE 2011-10

**ORDINANCE PROHIBITING THE POSSESSION OR SALE OF SYNTHETIC
CANNABINOIDS, AM CANNABINOIDS, CP CANNABINOIDS, JWH CANNABINOIDS
, HU CANNABINOIDS AND CANNABIMIMETIC AGENTS**

NOW, THEREFORE, BE IT ORDAINED by the City Council of Russellville, Kentucky that:

SECTION 1. PURPOSE

The purpose of this ordinance is to stop the possession or sale of synthetic cannabinoids, AM cannabinoids, CP cannabinoids, JWH cannabinoids, HU cannabinoids and cannabimimetic agents. These substances are harmful if consumed and present a significant public health danger that can result in hospitalization or death.

SECTION 2. DEFINITIONS

- 1) "Cannabimimetic agents" means any substance that is a cannabinoid receptor type 1 (CB1 receptor) agonist as demonstrated by binding studies and functional assays within the following structural classes:
 - A) 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent.
 - B) 3-(1-naphthoyl)indole or 3-(1-naphthyl)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent.
 - C) 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.
 - D) 1-(1-naphthylmethyl)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.
 - E) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.;
 - i) Including but not limited to 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497); 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP-47,497 C8-homolog); 1-pentyl-3-(1-naphthoyl)indole (JWH-018 and AM678); 1-butyl-3-(1-naphthoyl)indole (JWH-073); 1-hexyl-3-(1-naphthoyl)indole (JWH-019); 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250); 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081); 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122); 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398); 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201); 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694); 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR-19 and RCS-4); 1-cyclohexylethyl-3-(2-

methoxyphenylacetyl)indole (SR-18 and RCS-8); 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203). The term shall not include cannabimimetic agents that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;

- 12) "AM cannabinoids" means any synthetic cannabinoids created by Alexandros Makriyannis or his research group including but not limited to AM-087; AM-251; AM-281; AM-356; AM-374; AM-381; AM-404; AM-411; AM-630; AM-661; AM-678; AM-679; AM-694; AM-855; AM-881; AM-883; AM-905; AM-906; AM-919; AM-926; AM-938; AM-1116; AM-1172; AM-1220; AM-1221; AM-1235; AM-1241; AM-1248; AM-2201; AM-2212; AM-2213; AM-2232; AM-2233; AM-2102; AM-4030. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;
- 13) "CP cannabinoids" means CP-47,497; (C6)-CP-47,497; (C7)-CP-47,497; (C8)-CP-47,497; (C9)-CP-47,497; CP-50,556-1; CP-55,244; CP-55,940; CP-945,598. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;
- 14) "HU cannabinoids" means any synthetic cannabinoids synthesized at the Hebrew University including but not limited to HU-210; HU-211; HU-243; HU-308; HU-320; HU-331; HU-336; HU-345. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;
- 15) "JWH cannabinoids" means any synthetic cannabinoids created by John W. Huffman or his research group including but not limited to JWH-007; JWH-015; JWH-018; JWH-019; JWH-030; JWH-047; JWH-048; JWH-051; JWH-057; JWH-073; JWH-081; JWH-098; JWH-116; JWH-120; JWH-122; JWH-133; JWH-139; JWH-147; JWH-148; JWH-149; JWH-161; JWH-164; JWH-166; JWH-167; JWH-171; JWH-175; JWH-176; JWH-181; JWH-182; JWH-184; JWH-185; JWH-192; JWH-193; JWH-194; JWH-195; JWH-196; JWH-197; JWH-198; JWH-199; JWH-200; JWH-203; JWH-205; JWH-210; JWH-213; JWH-229; JWH-234; JWH-249; JWH-250; JWH-251; JWH-253; JWH-258; JWH-300; JWH-302; JWH-307; JWH-336; JWH-350; JWH-359; JWH-387; JWH-398; JWH-424. The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;
- 6) "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity;
- 7) "Possession" means to have actual physical possession or otherwise to exercise actual dominion or control over a tangible object;
- 8) "Synthetic cannabinoids" means any substance that contains 1-pentyl-3-(1-naphthoyl)indole (JWH-018); 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122); 1-pentyl-3-(4-methoxyphenylacetyl)indole (JWH-201); 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203); 1-pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081); 1-pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210); 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250); 1-pentyl-3-(3-methoxyphenylacetyl)indole (JWH-302); 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201); 1-pentyl-3-(4-methoxybenzoyl)indole (RCS-4); pravadoline (WIN 48,098); desoxypipradrol; 4-methyl-N-ethylcathinone (4-MEC); 9-nor-9 β -Hydroxyhexahydrocannabinol (HHC);

any synthetic cannabinoids outlawed by state and federal laws including but not limited to KRS 218A.010(39). The term shall not include synthetic cannabinoids that require a prescription, are approved by the United States Food and Drug Administration, and are dispensed in accordance with state and federal law;

- 9) "Traffic" means to manufacture, distribute, dispense, sell, transfer, or possess with intent to manufacture, distribute, dispense, or sell a controlled substance; and
- 10) "Transfer" means to dispose of a controlled substance to another person without consideration and not in furtherance of commercial distribution.

SECTION 3. PROHIBITION OF POSSESSION OR SALE OF SYNTHETIC CANNABINOIDS OR CANNABIMIMETIC AGENTS

3.1 Trafficking in synthetic cannabinoids or cannabimimetic agents

A person is guilty of trafficking in synthetic cannabinoids, AM cannabinoids, CP cannabinoids, JWH cannabinoids, HU cannabinoids or cannabimimetic agents when he or she knowingly and unlawfully traffics in synthetic cannabinoids, AM cannabinoids, CP cannabinoids, JWH cannabinoids, HU cannabinoids or cannabimimetic agents.

3.2 Possession of synthetic cannabinoids or cannabimimetic agents

A person is guilty of possession of synthetic cannabinoids, AM cannabinoids, CP cannabinoids, JWH cannabinoids, HU cannabinoids or cannabimimetic agents when he or she knowingly and unlawfully possesses synthetic cannabinoids, AM cannabinoids, CP cannabinoids, JWH cannabinoids, HU cannabinoids or cannabimimetic agents.

SECTION 4. PENALTY

Any person violating section 3.1 of this ordinance shall be guilty of a Class A Misdemeanor and shall, upon conviction, be subject to a fine of not more than \$500.00, or imprisonment for not more than 12 months, or both. Any person violating section 3.2 of this ordinance shall be guilty of a Class B Misdemeanor and shall, upon conviction, be subject to a fine of not more than \$250.00, or imprisonment for not more than 90 days, or both. If current or future Kentucky law(s) (KRS, etc.), or Logan County Ordinance(s), prohibit(s) any substance(s) contained in this ordinance, the Kentucky law(s) (KRS, etc.), or Logan County Ordinance(s), shall be applied instead of this ordinance for both prosecution and penalty.

SECTION 5. CONSTITUTIONALITY

If any article, section, sentence or part of a sentence in this ordinance is found to be unconstitutional, it is the intent of the drafter to strike only the unconstitutional provision(s) and for the remainder of the ordinance to remain in effect.


SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective upon its passage by law pursuant to Kentucky Revised Statutes.

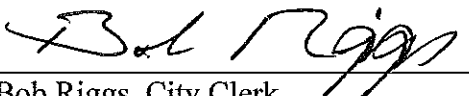
FIRST READING conducted on the 15th day of DECEMBER 2011.

SECOND READING conducted & PASSAGE on the 20th day of December 2011.

APPROVED:

By: 
Mark Stratton, Mayor
City of Russellville

ATTEST:

By: 
Bob Riggs, City Clerk
City of Russellville

At a meeting of the City Council of the City of Russellville, Kentucky, held on December 20, 2011, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES:
Jimmy Davenport
Pat Bell
Sandra Kinser
Jack Whipple
Bill Decker
Dariene Gooch

NAYS:

ABSENT:

ABSTAINING: