

**AN ORDINANCE PROHIBITING THE PURCHASE,
POSSESSION, SALE, AND OFFERING FOR
SALE THE SYNTHETIC CANNABINOID,
KNOWN AS “SPICE” OR “K-2” OR “FUNKY GREEN STUFF”
OR “BLACK MAGIC SMOKE” AND FOR OTHER PURPOSES**

WHEREAS, the Town of Monroe has a duty to preserve peace and order and secure freedom from dangerous or noxious activities; and

WHEREAS, the Town of Monroe has determined that certain businesses in and around Adams County are contemplating the sale of certain substances, which, when ingested, produce intoxicating effects similar to THC or Marijuana; and

WHEREAS, the substances are not yet categorized as controlled substances under the laws of the United States or the State of Indiana; and

WHEREAS, the substances, which are more specifically described below, are potentially dangerous to users and further, the long-term effects are not yet known; and

WHEREAS, it has been determined that the effects of these substances are a health and safety concern to the citizens of the Town of Monroe.

NOW, THEREFORE, BE IT ORDAINED BY THE MEMBERS OF THE MONROE TOWN COUNCIL:

Section 1. It is hereby declared to be unlawful for any person to use, possess, purchase, attempt to purchase, sell, publicly display for sale or attempt to sell, give, or barter any one or more of the following chemicals within the Town of Monroe:

- (a) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol {also known as CP 47,497 and its C6, C7, C8, and C9 homologues}
- (b) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol {also known as HU-210}
- (c) Naphthalen-1-yl-(1-pentylindol-3-yl)methanone {also known as 1 Pentyl-3-(1-naphthoyl)indole or JWH-018}

- (d) Naphthalen-1-yl-(1-butylindol-3-yl)methanone {also known as 1-Butyl-3-(1-naphthoyl)indole or JWH-073}

Section 2. This Ordinance shall be enforced by the Monroe Town Marshall as well as any other law enforcement agency, including but not limited to the Adams County Sheriff's Department and the Indiana State Police. If any of the substances listed in Section 1 herein are found in the possession of any person, they may be confiscated and destroyed by law enforcement officials.

Section 3. It is not an offense under this Ordinance if the person was acting at the direction of an authorized law enforcement agent to enforce or ensure compliance with this law prohibiting the sale of the aforementioned substance.

Section 4. This Ordinance does not apply to any person who commits any act described in this Ordinance pursuant to the direction or prescription of a licensed physician or dentist authorized to direct or prescribe such act. This Ordinance likewise does not apply to the inhalation of anesthesia for a medical purpose or dental purpose.

Section 5. Any business found to be in violation of this Ordinance will be subject to a civil fine of \$2,500.00. Any person found in violation of this Ordinance will be guilty of a civil fine not to exceed \$1,000.00.

Section 6. The Town Attorney shall have the authority to seek an injunction to close any business which refuses to or fails to comply with this Ordinance.


Section 7. If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions of the Ordinance which shall remain effective absent the invalid provision, and to this end, the provisions of the Ordinance are declared to be severable.

Section 8. This Ordinance shall be in full force and effect from and after its passage, approval and publication.


Passed and adopted by the Town Council of the Town of Monroe on the 2nd day of September, 2010.



Mike Geels




Deb Giessler



C. Allen Lehman

ATTEST:



Rachel Burkhardt, Clerk - Treasurer