



Office of the Chicago City
Clerk



O2011-9400

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date: 11/9/2011

Sponsor(s): O'Shea, Matthew J. (19)
Thompson, Joann (16)
And Others, And Others (0)

Type: Ordinance

Title: Amendment of Chapter 4-4 of Municipal Code by creating
new Section 333 to prohibit sale of synthetic marijuana in
Chicago

Committee(s) Assignment: Committee on Finance

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Corporate Authorities of the City of Chicago have encountered businesses selling products containing synthetic alternatives to the active ingredient of marijuana, or tetrahydrocannabinol (THC); and

WHEREAS, several of these synthetic cannabinoids are not yet categorized as illegal controlled substances under State or Federal law; and

WHEREAS, products containing these synthetic cannabinoids are particularly enticing to children and young adults due to their availability at neighborhood stores and their marketing as being legal; and

WHEREAS, the Drug Enforcement Administration (DEA) has determined that the consumption of synthetic cannabinoids can cause adverse health effects such as agitation, anxiety, nausea, vomiting, tachycardia, elevated blood pressure, tremors, seizures, hallucinations, paranoid behavior and non-responsiveness; and

WHEREAS, the American Association of Poison Control Centers has reported 2,700 synthetic cannabinoid related calls to poison control centers in 49 different states; and

WHEREAS, in 2010, the Illinois Poison Control Center received 70 synthetic cannabinoid related calls and has fielded 53 similar calls during the first quarter of 2011; and

WHEREAS, the City Council of the City of Chicago hereby finds that it is in the best interest of the public health, safety and welfare to prohibit the sale of synthetic cannabinoids in the City; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 4-4 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-4-333, as follows:

4-4-333 Synthetic marijuana.

(a) As used in this Section, "synthetic marijuana" means any product, whether described as tobacco, potpourri, herbs, incense, spice, aromatic, or any combination thereof, and whether marketed for the purpose of being smoked or otherwise marketed, which includes one or more of the following hallucinogenic substances:

- (1) 1-Pentyl-3-(1-naphthoyl) indole; some trade or other names: JWH-018; or
- (2) 1-Butyl-3-(1-naphthoyl) indole; some trade or other names: JWH-073; or
- (3) 1-[2-(4-morpholinyl) ethyl]-3-(1-naphthoyl) indole; some trade or other names: JWH-200; or
- (4) 5-(1,1- dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol; some trade or other names: CP-47,497; or
- (5) 5-(1, 1-dimethyloctyl)-2-[(1R, 3S)-3-hydroxycyclohexyl]-phenol; some trade or other names: cannabicyclohexanol; CP-47,497 C8 homologue; or
- (6) any other non-prescription substance that has a chemical structure and/or pharmacological effect substantially similar to the active ingredient of marijuana, or tetrahydrocannabinol (THC).

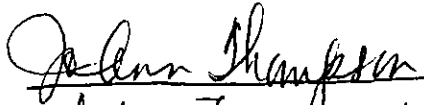
(b) No licensee under this Code shall sell, offer for sale, give away, barter, exchange or otherwise furnish any synthetic marijuana in the City of Chicago.

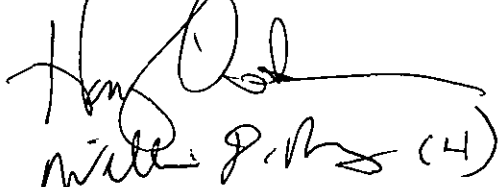

(c) Except as otherwise provided in this Chapter, any person who violates any of the requirements of this Section or any regulation promulgated thereunder shall be fined not less than \$500.00 nor more than \$1000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(d) Any violation of this Section or any regulation promulgated thereunder may result in license suspension or revocation in accordance with the requirements of Section 4-4-280 of this Code.

SECTION 3. This ordinance shall be in full force and effect upon passage and publication.


Matt O'Shea, Alderman, 19th Ward


John Thompson 16th


Mike P. (4)

Ed and his family