

TITLE 4

CHAPTER 1

MANUFACTURE, DISTRIBUTION, POSSESSION, OR USE OF SYNTHETIC CANNABINOIDS

SECTION:

4-1-1: PURPOSE

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- A. Public Health and Safety: River Heights City finds and determines that the substances described hereunder are often used as an alternative to marijuana. Because the substances are potentially dangerous to users, the long term effects are not yet known, a high number of hospitalizations have been reported in connection with the use of the substances; and the substances described hereunder are not yet categorized as illegal controlled substances under State or Federal law, it is proper and necessary for River Heights City to exercise its authority to safeguard and protect the public health and safety.
- B. Offenses Identified: Except as authorized by Title 58 Chapter 37 of the Utah Code, as amended, it is unlawful for any person to knowingly and intentionally:
 - 1. Produce, manufacture, dispense, or
 - 2. Possess with intent to produce, manufacture, or dispense, or
 - 3. Distribute, or agree, consent, offer, or arrange to distribute, or
 - 4. Possess with the intent to distribute, or
 - 5. Possess or use synthetic cannabinoids, more specifically identified as follows:
 - a. 1-Pentyl-3-(1-naphthoyl)indole, Some trade or other names: JWH-018
 - b. 1-Butyl-3-(1-naphthoyl)indole, Some trade or other names: JWH-073
 - c. N-benzylpiperazine, Some trade or other names: BZP
 - d. 1-(3-[trifluoromethylphenyl]) piperazine, Some trade or other names: TFMPP; or
 - e. Any structurally similar analogs of the substances listed above.
- C. Penalty: A violation of this ordinance is a Class B Misdemeanor.

- D. Subsequent State Action: If the Utah State Legislature adopts a statute enacting criminal penalties for prohibitions set forth in this ordinance, then upon the effective date of such state statute, provisions of this ordinance that are covered by the state statute shall no longer be deemed effective. Any violations of this ordinance prior to a state statute becoming effective may be prosecuted. If there are provisions of this ordinance that are not covered by the state statute, those provisions will remain in effect and may be prosecuted.
- E. Effective Date: December 14, 2010. (Ord. 5-2010, 12-14-2010)