CITY OF LOGAN, UTAH

ORDINANCE NO. 10-53

AN ORDINANCE ENACTING NEW CHAPTER 9.12.310 LOGAN MUNICIPAL CODE, ADOPTING RESTRICTIONS ON THE MANUFACTURE, DISTRIBUTION, POSSESSION, OR USE OF SYNTHETIC CANNABINOIDs COMMONLY KNOWN AS SPICE.

WHEREAS, the Logan City Council finds and determines that the substances described hereunder are often used as an alternative to marijuana, that the substances are potentially dangerous to users, that the long term effects are not yet known, that a high number of hospitalizations have been reported in connection with the use of the substances; and

WHEREAS, the substances described hereunder are not yet categorized as illegal controlled substances under State or Federal law, and that it is proper and necessary for City Council to exercise its authority to safeguard and protect the public health and safety; and

WHEREAS, Utah Code Section 10-8-84(1) grants the City of Logan the power “to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city.”

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1. That Section 9.12.310, Logan Municipal Code, adopting restrictions on the manufacture, distribution, possession, or use of synthetic cannabinoids commonly known as spice, be and the same hereby is, enacted to read as follows:

A. Except as authorized by Title 58 Chapter 37 of the Utah Code, as amended, it is unlawful for any person to knowingly and intentionally:
   (i) produce, manufacture, dispense, or
   (ii) possess with intent to produce, manufacture, or dispense, or
   (iii) distribute, or agree, consent, offer, or arrange to distribute, or
   (iv) possess with the intent to distribute, or
   (v) possess or use synthetic cannabinoids, more specifically identified as follows:
      (a) 1-Penty1-3-(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.
B. The terms used in this section have the same meanings as those defined by Title 58 Chapter 37 of the Utah Code, as amended.

C. Penalty provisions pertaining to violations of this section are found in chapter 1.16 of this code.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 21 DAY OF SEPTEMBER 2010, BY THE FOLLOWING VOTE:

AYES: [Signatures]
NAYS: [Signatures]
ABSENT: [Signatures]

/s/ Jay Monson, Chair

ATTEST:
/s/ Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval this 21 day of September, 2010.

/s/ Jay Monson, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 21 day of September, 2010.

/s/ Randy Watts, Mayor