AGENDA ITEM

To: Mayor & City Council

From: Sgt. Rick Bashor on behalf of Corey Sloan, Chief of Police

Date: February 22, 2011

Re: Establish an ordinance in reference to the illicit possession and sale of certain bath salts.

Background

The City of Cameron Police Department has reported that products containing 3.4 Methylenedioxyprovalerone (MDPV) Methylone, Mephedrone, 4-methoxymethcathinone, 4-Fluoromethcathinone, and 3-Fluoromethcathinone are marketed as bath salts and have been linked with illicit uses causing serious physical effects resulting in hospitalization and/or death.

This is becoming an alarming trend across the United States and communities are establishing ordinances to protect the health, safety and welfare of their citizens from the illicit sale of the above described products.

These substances are commonly named, including but not limited to, White Rush, Cloud 9, Ivory Wave, Ocean, Charge, Plus, White Lightening, Scarface, Hurricane Charlie, Red Dove, White Dove, or Blue Magic.

Activity

Review and discuss information for new ordinance.

Action

Pass ordinance making it illegal for anyone to possess or sell these items within the City of Cameron.

Bill 2011-19

AN ORDINANCE CREATING SECTION 8-4.4 OF CHAPTER 8, OFFENSES-MISCELLANEOUS, ARTICLE I, GENERAL, OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, CODE TO PROHIBIT THE ILLICIT SALE AND USE OF CERTAIN BATH SALTS

WHEREAS, the City of Cameron Police Department has reported that products containing 3.4 Methylenedioxyprovalerone (MDPV) Methylone, Mephedrone, 4-methoxymethcathinone,4-Fluoromethcathinone,and 3-Fluoromethcathinone are marketed as bath salts and have been linked with illicit uses causing serious physical effects resulting in hospitalization and/or death.

WHEREAS, this is becoming an alarming trend across the United States and communities are establishing ordinances to protect the health, safety and welfare of their citizens from the illicit sale of the above described products;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council for the City of Cameron, Clinton and DeKalb Counties, Missouri as follows:

Section 1: A new section, 8-4.4, is created in the Cameron Municipal Code, Chapter 8 Offenses-Miscellaneous, Article I, In General as follows:

Sec. 8-4.4 Illicit possession, sale and use of bath salts

a) It is unlawful for any person or corporation knowing, or under circumstances where one reasonably should know to sell, lend, rent, lease, give, exchange, or otherwise distribute to any person or corporation any product containing 3.4 Methylenedioxyprovalerone (MDPV) Methylone, Mephedrone, 4-methoxymethcathinone, 4-Fluoromethcathinone, and 3-Fluoromethcathinone or to display for sale or possess with an intent to distribute said products containing MDPV. These products are commonly sold as bath salts with the trade names including, but not limited to, White Rush, Cloud 9, Ivory Wave, Ocean, Charge, Plus, White Lightening, Scarface, Hurricane Charlie, Red Dove, White Dove, or Blue Magic.

b) It is unlawful to use or possess with the intent to use MDPV or otherwise introduce into the human body any products containing MDPV.
    1) Any person violating the terms of the ordinance shall be punished, upon conviction, with a fine up to $500.00 and incarceration of up to 30 days, with each day of violation constituting a separate offense.
    2) Any business found violating the terms of the ordinance shall have their business license revoked by the City of Cameron.

3) The City of Cameron shall refuse a business license to a person or business selling or offering for sale these types of bath salts.

Section 2. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved this 7th day of March 2011.

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Mayor Dennis M. Clark

Attest:

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City Clerk