

**CITY OF GENEVA, ILLINOIS
ORDINANCE 2012-04
AN ORDINANCE BANNING SYNTHETIC ALTERNATIVE DRUGS IN
THE CITY OF GENEVA**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
THIS 17TH DAY OF JANUARY, 2012**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Geneva,
Kane County, Illinois,
This 18th day of January, 2012

Prepared by:

City of Geneva
22 South First St.
Geneva, IL 60134

**CITY OF GENEVA, ILLINOIS
ORDINANCE 2012-04**

**AN ORDINANCE BANNING SYNTHETIC ALTERNATIVE DRUGS
IN THE CITY OF GENEVA**

WHEREAS, the City of Geneva is concerned with products being sold, or potentially being sold, at commercial businesses within its corporate boundaries containing compounds originally designed as synthetic alternatives (*i.e.*, synthetic cannabinoids, synthetic stimulants and/or synthetic psychedelic/hallucinogens) to prohibited controlled substances such as tetrahydrocannabinol (THC), cathinone, methcathinone, MDMA and MDEA; and

WHEREAS, the City of Geneva finds that products containing such synthetic alternatives may be purchased for recreational use currently as an alternative to otherwise regulated controlled substances banned at the Federal, State, and local levels; and

WHEREAS, the City of Geneva finds that products containing synthetic cannabinoids, synthetic stimulants and synthetic psychedelic/hallucinogens are particularly attractive to children and young adults due to their availability in small packages at neighborhood stores at minimal costs, as well as due to the names being given to these substances which are intended to appeal to children and young adults, as set forth on Exhibit “A” attached hereto; and

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

WHEREAS, the DEA has determined that consumption of synthetic stimulants affect alertness, and have been linked to severe psychotic episodes, increased heart rates, panic attacks, and hallucinations; 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, the City of Geneva is also aware of overdoses and fatal consequences of use in other Illinois communities and in other States, which are believed to have resulted from the users’ consumption of synthetic stimulants, cannabinoids or psychedelic/hallucinogens; and

WHEREAS, the City of Geneva deems it necessary and desirable to prohibit the sale, delivery, possession and use of products containing synthetic cannabinoids, synthetic stimulants and synthetic psychedelic/hallucinogens in order to protect the public health, safety and welfare of the citizens of Geneva

CITY OF GENEVA ORDINANCE

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Geneva, Kane County, Illinois as follows:

Section One: That the recitals set forth above are incorporated herein by reference the same as if they were set forth herein verbatim and they are adopted as the findings of the City Council of the City of Geneva.

Section Two: That Title 6 of the Geneva City Code be and hereby is amended by adding a new Chapter 6-2-11 entitled “Synthetic Alternative Drugs” to read as follows:

Chapter 6-2-11

SYNTHETIC ALTERNATIVE DRUGS

6-2-11-1 Definitions.

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires different meaning:

A. *A product containing a synthetic alternative drug* means any product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen, as those terms are defined herein such as, but not limited to, the examples of brand names or identifiers listed on Exhibit “A” attached hereto and incorporated herein.

B. *Synthetic cannabinoid* means any laboratory-created compound that functions similar to the active ingredient in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers) containing a cannabinoid receptor agonist, such as:

- JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole)
- JWH-015 ((2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone)
- JWH-018 (1-pentyl-3-(1-naphthoyl)indole)
- JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole)
- JWH-073 (naphthalen-1-yl-(1-butyldiol-3-yl)methanone)
- JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-098 (4-methoxynaphthalen-1-yl-(1-pentyl-2-methylindol-3-yl)methanone)
- JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole)
- JWH-164 (7-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-200 (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone)
- JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone)
- JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole)
- JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole)
- JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole)
- HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol)

- HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol)
- HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol)
- HU-331 ((3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione)
- CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]- 5-(2-methyloctan-2-yl)phenol)
- CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5- (2-methyloctan-2-yl)phenol) and its homologues
- WIN 55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo [1,2,3-de]-1,4-benzoxazin-6-yl]-1-nepthalenylmethanone)
- RCS-4 ((4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone)
- RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenyl)ethanone)

C. *Synthetic stimulant* means any compound that mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA and MDEA, including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, and salts of isomers) containing substances which have a stimulant effect on the central nervous system, such as:

- 3-Fluoromethcathinone
- 4-Fluoromethcathinone (other name: flephedrone)
- 3,4-Methylenedioxymethcathinone (other name: methylone, MDMC)
- 3,4-Methylenedioxypyrovalerone (other name: MDPV)
- 4-Methylmethcathinon (other names: mephedrone, 4-MMC)
- 4-Methoxymethcathinone (other names: methedrone, bk-PMMA, PMMC)
- 4-Ethylmethcathinone (other name: 4-EMC)
- Ethcathinone
- Beta-keto-N-methylbenzodioxolylpropylamine (other names: butylone, bk-MBDB)
- Napthylpyrovalerone (other names: naphyrone, NRG-1)
- N,N-dimethylcathinone (other name: metamfepramone)
- Alpha-pyrrolidinopropiophenone (other name: alpha-PPP)
- 4-methoxy-alpha-pyrrolidinopropiophenone (other name: MOPPP)
- 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name: MDPPP)
- Alpha-pyrrolidinovalerophenone (other name: alpha-PVP)
- 6,7-kihydro-5H-indeno(5,6-d)-1,3-dioxal-6-amine) (other name: MDAI)
- Any compound that is structurally derived from 2-amino-1-phenyl-1-propanone by modification or substitution in any of the following ways:
 - in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
 - at the 3-position with an alkyl substituent;
 - at the nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;
 - or by inclusion of the nitrogen atom in a cyclic structure.

D. *Synthetic psychedelic/hallucinogen* means any compound that mimics the effects of any federally controlled Schedule I substance, including but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, esters, ethers and salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain, such as:

- 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
- 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);
- 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
- 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
- 2-(4-(Ethylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 2-(4-(Isopropylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-4);
- 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);
- 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

6-2-11-2 Sale or Delivery.

It shall be unlawful for any person to sell, offer for sale or deliver any product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

6-2-11-3 Possession.

It shall be unlawful for any person to knowingly possess a product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

6-2-11-4 Use.

It shall be unlawful for any person to be under the influence of a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

6-2-11-5 Penalties.

A. Any person found to be in violation of Section 6-2-11-2 shall be subject to a fine of not less than \$750.00 and not more than \$1,000.00 for each violation thereof.

B. Any person found to be in violation of Section 6-2-11-3 or Section 6-2-11-4 shall be subject to a fine of not less than \$500.00 and not more than \$1,000.00 for each violation thereof.

C. Each violation of this ordinance, or every day a violation continues to exist, shall constitute a new and separate violation.

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Section Three: This ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Section Four: Any Section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

PASSED by the City Council of the City of Geneva, Kane County, Illinois, this 17th day of January, 2012.

Ayes: 8 Nays: 0 Absent: 2 Abstaining: 0 Holding Office: 10

APPROVED by me as Mayor of the City of Geneva, Kane County, Illinois, this 17th day of January, 2012.

Mayor

ATTEST:

City Clerk

EXHIBIT A

2010	GENIE
8-BALL	GOLD SPIRIT SPICE
AZTEC GOLD	GREEN MONKEY CHRONIC SALVIA
AZTEC MIDNIGHT WIND TEZCATLIPOCA	GREENIES STRAWBERRY
BACK DRAFT	HEAVEN IMPROVED
BAD 2 THE BONE	HEAVENSCENT SUAVE
BANANA CREAM NUKE	HUMBOLDT GOLD
BAYOU BLASTER	JAMAICAN GOLD
BLACK DIAMOND	K ROYAL
BLACK MAGIC SALVIA	K1 GRAVITY
BLACK MAMBA	K1 ORBIT
BLUEBERRY HAYZE	K2 (UNKNOWN VARIETY)
BOMBAY BLUE	K2 AMAZONIA SHELTER
BUZZ	K2 BLONDE
C3	K2 BLUE
C4	K2 BLUEBERRY
C4 HERBAL INCENSE	K2 CITRON
CANEFF	K2 CLOUD 9
CHILL X	K2 KRYPTONITE
CHRONIC SPICE	K2 LATTE
CILL OUT	K2 MELLON
COLORADO CHRONIC	K2 MINT
DA BLOCK	K2 ORISHA BLACK MAGIC MAX
DARK NIGHT II	K2 ORISHA MAX
DEMON	K2 ORISHA REGULAR
DIAMOND SPIRIT	K2 ORISHA SUPER
DRAGON SPICE	K2 ORISHA WHITE MAGIC SUPER
D-RAIL	K2 PEACH
DREAM	K2 PINA COLADA
EARTHQUAKE	K2 PINEAPPLE
ERUPTION SPICE	K2 PINEAPPLE EXPRESS
EUPHORIA	K2 PINK
EX-SES	K2 PINK PANTIES
EX-SES PLATINUM	K2 SEX
EX-SES PLATINUM BLUEBERRY	K2 SILVER
EX-SES PLATINUM CHERRY	K2 SOLID SEX ON THE MOUNTAIN
EX-SES PLATINUM STRAWBERRY	K2 STANDARD
EX-SES PLATINUM VANILLA	K2 STRAWBERRY
FIRE BIRD ULTIMATE STRENGTH CINNAMON	
FOREST HUMUS	K2 SUMMIT
FREEDOM	K2 SUMMIT COFFEE WONK
FULLY LOADED	K2 THAI DREAM
FUNKY MONKEY	K2 ULTRA
FUNKY MONKEY	K2 WATERMELON

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G FOUR
G GREENIES CARAMEL CRUNCH
K3 COSMIC BLEND
K3 DUSK
K3 GRAPE
K3 HEAVEN IMPROVED
K3 HEAVEN LEGAL
K3 KRYPTONITE
K3 LEGAL
K3 LEGAL - EARTH (SILVER)
K3 LEGAL - ORIGINAL (BLACK)
K3 LEGAL - SEA (SILVER)
K3 LEGAL - SUN (BLACK)
K3 MANGO
K3 ORIGINAL
K3 ORIGINAL IMPROVED
K3 STRAWBERRY
K3 SUN
K3 SUN IMPROVED
K3 SUN LEGAL
K3 XXX
K4 BUBBLE BUBBLE
K4 GOLD
K4 PURPLE HAZE
K4 SILVER
K4 SUMMIT REMIX
LEGAL EAGLE
LEGAL EAGLE APPLE PIE
LOVE POTION 69
LOVE STRAWBERRY
MAGIC DRAGON PLATINUM
MAGIC SILVER
MAGIC SPICE
MID ATLANTIC EXEMPLAR
MIDNIGHT CHILL
MNGB ALMOND/VANILLA
MNGB PEPPERMINT
MNGB PINATA COLADA
MNGB SPEAR MINT
MNGB TROPICAL THUNDER
MOE JOE FIRE
MOJO
MR. SMILEY'S
MTN-787
MYSTERY
NAUGHTY NIGHTS
NEW IMPROVED K3 COSMIC BLEND

K3
K3 BLUEBERRY
NEW K3 EARTH
NEW K3 HEAVEN
NEW K3 IMPROVED
NEW K3 SEA IMPROVED
NEW KRON BOMB
NITRO
OCEAN BLUE
P.E.P. POURRI LOVE STRAWBERRY
P.E.P. POURRI ORIGINAL SPEARMINT
P.E.P. POURRI TWISTED VANILLA
P.E.P. POURRI X BLUEBERRY
PARADISE
PINK TIGER
POTPOURRI GOLD
POW
PULSE
RASTA CITRUS SPICE
RED BIRD
S1.S WERVE
SAMURAI SPIRIT
SATIVAH
SCOPE VANILLA
SCOPE WILDBERRY
SENCE
SHANTI SPICE
SHANTI SPICE BLUEBERRY
SILENT BLACK
SKUNK
SMOKE
SMOKE PLUS
SPACE
SPICE ARTIC SYNERGY
SPICE DIAMOND
SPICE GOLD
SPICE SILVER
SPICE TROPICAL SYNERGY
SPICEY REGULAR XXX BLUEBERRY
SPICEY REGULAR XXX STRAWBERRY
SPICEY ULTRA STRONG XXX STRAWBERRY
SPICEY ULTRA STRONG XXX VANILLA
SPICEY XXX
SPICYLICIOUS
SPIKE 99
SPIKE 99 ULTRA
SPIKE 99 ULTRA BLUEBERRY

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NEW IMPROVED K3 DYNAMITE
NEW IMPROVED K3 KRYPTONITE
SPIKE DIAMOND
SPIKE GOLD
SPIKE MAX
SPIKE SILVER
STINGER
SUMMER SKYY
SUPER KUSH
SUPER SUMMIT
SWAGGER GRAPE
SYN CHILL
SYN INCENSE LEMON LIME
SYN INCENSE SMOOTH
SYN INCENSE SPEARMINT
SYN LEMON LIME
SYN LEMON LIME #2
SYN SMOOTH
SYN SPEARMINT
SYN SPEARMINT #2
SYN SUAVE
SYN SWAGG
SYN VANILLA

SPIKE 99 ULTRA CHERRY
SPIKE 99 ULTRA STRAWBERRY
SYN VANILLA #2
TEXAS GOLD
TRIBAL WARRIOR
ULTRA CLOUD 10
UNKNOWN CIGARETTE
UTOPIA
UTOPIA- BLUEBERRY
VOODOO CHILD
VOODOO MAGIC
VOODOO REMIX
VOODOO REMIX (BLACK PACKAGE)
VOODOO REMIX (ORANGE PACK)
WHO DAT
WHO DAT HERBAL INCENSE
WICKED X
WINTER BOOST
WOOD STOCK
XTREME SPICE
YUCATAN FIRE
ZOMBIE WORLD