

ORDINANCE NO. 870.5
AN ORDINANCE PROHIBITING SALE AND POSSESSION OF MITRAGYNE AND 7-
HYDROXYMITRAGYNE, ALSO KNOWN AS KRATOM

WHEREAS, the City of Granite City has determined that abuse of dangerous drugs is a threat to the health, safety, and welfare of the citizens of Granite City; and

WHEREAS, the Granite City City Council hereby finds mitragynine and 7-hydroxymitragynine, also known as Kratom, are dangerous drugs, and outlawed in Alabama, Arkansas, Indiana, Tennessee, Vermont, and Wisconsin; and

WHEREAS, mitragynine and 7-hydroxymitragynine are not necessarily outlawed under Illinois State statutes, but one or both are controlled substances in Australia, Canada, and the United Kingdom; and

WHEREAS, the City of Granite City has determined that it wishes to regulate unsafe drugs.

NOW, THEREFORE, be it ordained by the City Council of the City of Granite City, Illinois as follows:

Sections 9.98.010 through 9.98.030 of the Granite City Municipal Code, are hereby added to said Granite City Municipal Code, as follows.

1. 9.98.010 DEFINITIONS:

KRATOM: also known as mitragynine or 7-hydroxymitragynine, is a stimulant generally produced from a tropical evergreen tree known as mitragyna speciosa.

9.98.020 CONTROLLED SUBSTANCES:

Kratom, mitragynine, and 7-hydroxymitragynine, are each hereby declared and defined as a "controlled substance", as the term is used in this chapter and this Ordinance. Possession, use, or delivery of any of these controlled substances, is hereby declared illegal and a violation of City Ordinance.

9.98.030 OFFENSES AND PENALTIES:

A. Possession of Kratom, mitragynine, or 7-hydroxymitragynine – It is unlawful for any person to use, or to possess, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, any of said controlled substances in violation of this Ordinance. Any person who violates this Section is guilty of an Ordinance violation and upon conviction may be fined not more than \$500.00 nor less than \$25.00.

B. Manufacture or delivery of Kratom, mitragynine, or 7-hydroxymitragynine - It is unlawful for any person to manufacture, refine, distill, purify, deliver, or possess with intent to deliver, any of said controlled substances and is a violation of this Ordinance. Any person who violates this Section is guilty of an Ordinance violation and upon conviction may be fined not more than \$500.00 nor less than \$25.00.

C. Delivery of Kratom, mitragynine, or 7-hydroxymitragynine to a minor - Any person 18 years of age or over who violates subparagraph B above by delivering any of said controlled substances to a person under 18 years of age is guilty of special offense and upon conviction may be fined not more than \$750.00 nor less than \$25.00.


2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, any such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.
3. This Ordinance shall be in full force and effect upon its passage. This Ordinance may be published in pamphlet form, by the City Clerk.

APPROVED this 4th day of September, 2018.

APPROVED:


Mayor Edward Hagnauer

ATTEST


City Clerk Judy Whitaker