

1 **135-122010**

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3 **ORDINANCE: Create Section 9.33 "Synthetic**  
4 **Cannabinoid Prohibited"**  
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6 The County Board of Supervisors of the County of Winnebago does  
7 hereby ordain as follows:  
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9 That Section 9.33 of the General Code of Winnebago County entitled  
10 "Synthetic Cannabinoid Prohibited" be created to read as follows:  
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12 **9.33 SYNTHETIC CANNABINOID PROHIBITED.**  
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14 (1) AUTHORITY. This Ordinance is adopted pursuant to that  
15 authority provided under Section 59.03 and 59.54(6), Stats.  
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17 (2) POSSESSION, USE AND SALE ARE ILLEGAL. It shall be  
18 illegal for any person to use, possess, purchase, attempt to  
19 purchase, sell, publically display for sale or attempt to sell, give,  
20 or barter any one or more of the following chemicals whether  
21 under the common street or trade names of "Spice", "K2",  
22 "Genie", "Yucatan Fire:", "fake", or "new" marijuana, or by any  
23 other name, label, or description:  
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25 (a) Salviadinorum or salvinorum A; all parts of the plant  
26 presently classified botanically as salvia divinorum, whether  
27 growing or not, the seeds thereof; any extract from any part  
28 of such plant, and every compound, manufacture, salts  
29 derivative, mixture or preparation of such plant, its seeds or  
30 extracts;  
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32 (b) (6aR, 10aR) – 9- (hydroxymethyl) -6, 6dimethyl -3  
33 (2methyloctan – 2- yl) -6z, 7, 10, 10a- tetrahydrobenzo  
34 (c)chromen – 1 – ol some trade or other names: HU-210;  
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36 (c) 1 – pental - (3 – (1-naphthoyl) indole-some trade or other  
37 names: JWH- 018/spice;  
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39 (d) 1 – Butyl – 3 – (1-naphthoyl) indole-some trade other  
40 names: JWH – 073;  
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42 (e) 1 – (3 –{trifluoromethylphenyl}) piperazine-some trade or  
43 other names: TFMPP; or  
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45 (f) CP 47.497  
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(g) JWH-250 or similar analogues that do not have an approved medical use in the U.S. and presently listed as "Drugs of Concern" by the Federal Drug Enforcement

(3) MEDICAL OR DENTAL USE ALLOWED. (a) Acts otherwise prohibited under s. 9.33(2) shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.

(4) APPLICABILITY. This Ordinance shall be in full force and effect in those areas of Winnebago County which are unincorporated.

(5) PENALTY. Any person who violates any provision of this section of the Code shall be subject to the imposition of those penalties upon them as is provided in Section 25.04 of this Code.

(6) EFFECTIVE DATE. This Ordinance shall be in full force and effect as of January 30, 2011.

**BE IT FURTHER ORDAINED** by the County Board of Supervisors of the County of Winnebago that it hereby adopts Section 9.33 of the General Code of Winnebago County.

Submitted by:  
**JUDICIARY & PUBLIC SAFETY  
COMMITTEE**  
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Committee Vote:  
\_\_\_\_\_

Vote Requirement for Passage:  
**Majority of those present**

Approved by Winnebago County Executive this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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Mark L. Harris  
County Executive