

PROHIBITION OF THE SALE, POSSESSION, OR DELIVERY OF SYNTHETIC CANNABIS

WHEREAS, it is the desire of the Mayor and Council to control and minimize the use of synthetic cannabis and

WHEREAS, it is desirous for the City of Nokomis to be able to enforce laws with respect to such behavior,

NOW BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NOKOMIS, ILLINOIS AS FOLLOWS:

1: DEFINITIONS:

The following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

SYNTHETIC CANNABIS: It is an herbal and chemical product which mimics the effects of Cannabis including but not limited to synthetic Cannabinoids, Cannabicyclohexanol, JWH-018, JWH-073, JWH-250 and HU-210.

DELIVER OR DELIVERY: Actual, constructive or attempted transfer of possession of synthetic cannabis.

KNOWINGLY: Knows, acts knowingly, or with knowledge:

MANUFACTURE: The production, preparation, propagation, compounding, conversion or processing the synthetic cannabis, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, and includes any packaging or repackaging of synthetic cannabis or labeling of its container, except that this term does not include the preparation, compounding, packaging or labeling synthetic cannabis as an incident to lawful research, teaching or chemical analysis and not for sale.

PERSON: Any individual, corporation, business trust, estate, trust, partnership or association, or any other entity.

POSSESSION: Possession may be either actual or constructive.

- A. Actual possession means exercising physical dominion.
- B. Constructive possession may be inferred if the defendant has intent and capacity to maintain control and dominion over the synthetic cannabis.

2. POSSESSION OF SYNTHETIC CANNABIS PROHIBITED

- A. Violation: No person shall knowingly possess or deliver any substance containing synthetic cannabis.

- B. Penalty: Any person who pleads guilty or is found guilty by a court of law shall be punished by a minimum fine of not less than \$250 (two hundred and fifty dollars) and not more than \$1000 (one thousand dollars)
- C. Administration Fee: In addition, any person who violates any provision of this section and pleads guilty or is convicted by a court of law shall be ordered to pay an administrative fee of \$200 (two hundred dollars) to the law enforcement agency for testing of the substance collected.
- D. Exception: Any person who manufactures, distributes, dispenses, or is in possession of any synthetic cannabis pursuant to 720 ILCS 550/11 as hereafter amended, shall be exempt from the provisions of this section.

This ordinance shall be in full force and effect ten days from its passage and publication in pamphlet form as required by law.

Adopted this 14th day of MAY, 2012.



Keith Hancock
Mayor

ATTEST:



City Clerk

STATE OF ILLINOIS)
) SS
MONTGOMERY COUNTY)

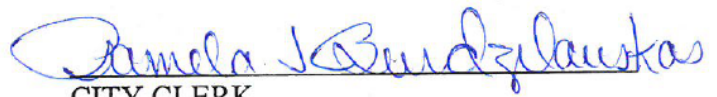
CERTIFICATION

I, PAMELA J. BURDZILAUSKAS, certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on MAY 14 , 2012 the City Council of such municipality passed and approved Ordinance No. 980 which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 980 , including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on MAY 16 , 2012, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request to the City Clerk.

Dated at Nokomis, Illinois, this 14th day of MAY , 2012.


CITY CLERK