

**ORDINANCE PROHIBITING THE USE, PURCHASE,
POSSESSION, DISTRIBUTION, SALE OR OFFERING FOR SALE OF
SYNTHETIC COCAINE OR OTHER SYNTHETIC PRODUCTS**

WHEREAS, the Board of Supervisors of Lafayette County, Mississippi has determined that certain businesses within Lafayette County, Mississippi are selling certain substances when ingested produce intoxicating effects similar to cocaine; and

WHEREAS, the substances described below are not yet categorized as illegal controlled substances under state or federal law; and

WHEREAS, the substances described below are often used as an alternative to cocaine and other controlled substances and are potentially dangerous to users; and

WHEREAS, a review of the scientific literature and the reports of law enforcement and health officials reveals that the effects of these substances are a health concern to the citizens of Lafayette County, Mississippi; and

WHEREAS, the Board of Supervisors of Lafayette County, Mississippi has determined the need to establish regulations preventing the use, possession, purchase, distribution, sale or attempt to use, possess, purchase, distribute or sell or publicly display for sale any one or more of the following chemicals within Lafayette County, Mississippi; and therefore adopt the following regulations and penalties; and

WHEREAS, pursuant to Sections 19-3-40 and 19-3-41 of the Mississippi Code Annotated (1972), this Ordinance Prohibiting the Use, Purchase, Possession, Distribution, Sale or Offer for Sale of Synthetic Cocaine is for the immediate and temporary preservation of the public peace, health and safety and shall become effective immediately upon its adoption, and prior to being recorded and published, as the best interests of the public will be served by the immediate effectiveness of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI, EFFECTIVE ON AND AFTER FEBRUARY 7, 2011, TO-WIT:

1. No person shall use, possess, purchase, distribute, sell or attempt to use, possess, purchase, distribute or sell or publicly display for sale any one or more of the following within Lafayette County, Mississippi:
 - A. Products sold as “bath salts,” under the trade names: Ivory Wave, Bliss, White Lightning, Hurricane Charlie, Super Coke, Cloud 9, Peevee, Ocean Magic, White Dove, and other trade names, and/or containing one or more of the following compounds or chemicals:
 1. u3,4-Methylene-dioxymethcathinone (Methylone)
 2. u3,4-Methylenedioxy-pyrovalerone (MDPV)
 3. u4-Methylmeth-cathinone (Mephedrone)
 4. u4-Methoxymeth-cathinone
 5. u4-Fluorometh-cathinone
 6. u4-Fluorometh-cathinone

2. If any of the aforementioned substances shall be found in the possession of any person, unless specifically excluded herein, the substances shall be confiscated and destroyed by law enforcement officials.
3. It shall not be an offense under Section 1 above of this Ordinance if a person shall be acting at the direction of an authorized agent of the Lafayette County Sheriff's Department, the Metro Narcotics Unit or City of Oxford Police Department to enforce or ensure compliance with this law prohibiting the use, possession, purchase, distribution or sale or the attempt to use, possess, purchase, distribute or sell or publicly display for sale the aforementioned substances.
4. This Ordinance shall not apply to any person who shall commit any act described in this Ordinance pursuant to the direction or prescription of a duly licensed physician or dentist authorized to direct or prescribe such act. This Ordinance shall not apply to the inhalation of anesthesia for a medical or dental purpose which inhalation of anesthesia shall be administered by or under the supervision of a duly licensed physician or dentist.
5. Any person found to be guilty of violating this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisoned in the county jail not to exceed six (6) months or both.

WHEREAS, the Ordinance Prohibiting the Use, Purchase, Possession, Distribution, Sale or Offering for Sale of Synthetic Cocaine was discussed and voted upon in a public meeting, and whereas a motion was duly made by Supervisor _____, seconded by Supervisor _____, and a vote was held thereon with the following results, to-wit:

Supervisor Robert Blackmon voted:	_____
Supervisor Lloyd Oliphant voted:	_____
Supervisor Johnny Morgan voted:	_____
Supervisor Ray Sockwell voted:	_____
Supervisor Mike Pickens voted:	_____

Adopted by the Lafayette County Board of Supervisors the 7th day of February, 2011.

LLOYD OLIPHANT
PRESIDENT, BOARD OF SUPERVISORS
LAFAYETTE COUNTY, MISSISSIPPI

ATTEST:

SHERRY J. WALL, CLERK