

## **ORDINANCE NO. 63**

### **REGULATING SYNTHETIC AND HEMP-DERIVED CANNABINOID PRODUCTS**

The Town Board of the Town of Grand Rapids, Wood County, Wisconsin, does ordain as follows with regard to its Town Ordinances:

#### **63.1 PURPOSE:**

The Purpose of this Ordinance is to prohibit the Possession, Use and Sale of synthetic and hemp-derived Cannabinoid products.

While synthetic Cannabinoids are not yet categorized as illegal controlled substances under Wisconsin or federal law, several other countries, states, and municipalities have already taken action to prohibit these substances due to increased overdose and other negative health concerns. These synthetic Cannabinoid substances are often marketed as benign and legal alternatives to marijuana. However, they are potentially dangerous to users as the substances can create potency from 3 to 100 times greater than marijuana. They can produce severe adverse health conditions such as hallucinations, paranoia, seizures and vomiting based on reported emergency room experiences in the areas of the country where use is more prevalent. In addition, the long-term health effect of use of these substances is not yet known.

Hemp-derived cannabinoid products (Delta 8 & 10 THC) are similar to Delta 9 THC (marijuana) chemically and produce a similar but reportedly milder effect than marijuana. Delta 8 & 10 THC are active ingredients in products marketed and sold in the form of candies and other edibles that are typically marketed to youth. Additionally, electronic smoking devices containing Delta 8 & 10 THC can be sold in flavors that have been shown to be attractive to youth.

It has been determined that the effects of these substances are a health, safety, and welfare concern of the citizens of the Town of Grand Rapids. It is in the public health and safety to regulate synthetic and hemp-derived (Delta 8 & 10) products in the Town of Grand Rapids.

#### **63.2 SYNTHETIC CANNABINOIDS:**

A. Possession, Use and Sale Prohibited. It shall be unlawful for any person to use, possess, transport, purchase, attempt to purchase, sell, publicly display for sale or attempt to sell, give, trade or barter any one or more of the following substances whether under the common street or trade names of "spice", "K2", "Genie", "Yucatan Fire", "Fake", "New" Marijuana", or by any other name, label, or description:

1. Salviadinorum or salvinorum A: all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts.
2. (6aR,10aR)-9-(hydroxymethyl)-6,6dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10tetrahydrobenzo[c] chromen-1-ol some trade or other names:HU-210
3. 1-Pentyl-3-(1-naphthoyl) indole-some trade or other names: JWH- 018\spice
4. 1-Butyl-3-(naphthoyl) indole-some trade or other names: JWH-073
5. 1-(3{trifluoromethylphenyl}) piperazine-some trade or other names: TFMPP
6. Or any similar structural analogs.

### **63.3. HEMP-DERIVED CANNABINOIDS:**

- A. Definitions. In this subsection, the term “Hemp-Derived Cannabinoid” constitutes one of the many intoxicating cannabinoids found in the cannabis plant or a synthetic version thereof, and shall include:
1. A cannabinoid other than delta-9 tetrahydrocannabinol (THC), or an isomer derived from such cannabinoid (delta-8 THC, delta-10 THC, hexahydrocannabinol (HHC), HHC-O, THCA, THC-O, THCP, THCv); or
  2. A hemp-derived product containing delta-9 tetrahydrocannabinol in a concentration of 0.3 percent or less.
  3. The term “Hemp-Derived Cannabinoid” shall not include non-intoxicating cannabinoids, including cannabidiol (CBD), which is an active ingredient in cannabis, but does not cause intoxication by itself, is not addictive, and does not contain other isomers as listed above
- B. Restrictions on Possession, Use and Sale.
1. It shall be illegal for a person under the age of twenty-one (21) to possess or use any amount of a hemp-derived cannabinoid including delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCv except as specifically allowed by Wisconsin law.
  2. It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCv to a person under the age of twenty-one years, except as specifically allowed by Wisconsin law.
  3. It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCv to a person without

having first verified their age by having the purchaser present a valid photo identification.

4. Hemp-derived cannabinoids shall not be sold within 750 feet of a hospital, church, or youth-serving organization such as, but not limited to: childcare centers, pre-schools, public or parochial schools, tribal schools, playgrounds, town, city or county parks, sporting arenas, or organizations with specific interest to serve children (Boys & Girls Club, YMCA, Head Start, etc.) The distance shall be measured by the shortest route along a designated roadway or walking path from the main entrance of the youth-serving business/organization to the premises selling hemp-derived cannabinoid products. The prohibition in this section does not apply to businesses selling hemp-derived cannabinoids from a location used for said sales on October 31, 2022.

#### **63.4 PENALTIES:**

Any person convicted of violating this Ordinance shall be subject to the forfeiture set forth in Ordinance 39, together with the costs of prosecution.

**This ordinance shall take effect from and after the date of its passage and publication as provided by law.**

#### **HISTORY**

##### **Declaration/Ordinance/Resolution No**

##### **Dated**

**RESOLUTION NO:** 2010-41  
2022-

9-November-2010  
11-October-2022