THE CITY COUNCIL OF
NORTH ROYALTON, OHIO

ORDINANCE NO. 12-88
INTRODUCED BY: Muller, Willey, Marnecheck

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART SIX GENERAL OFFENSES CODE, CHAPTER 624 DRUGS, SECTION 624.03 DRUG POSSESSION OFFENSES, PARAGRAPH (c)(5), AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton feels that it is in the best interest of the city to control and prohibit the possession, sale and use of synthetic cannabinoids and other synthetic drugs; and

WHEREAS: The abuse of synthetic cannabinoids and other synthetic drugs are becoming a serious concern to the public safety authorities in the City of North Royalton; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part Six General Offenses Code, Chapter 624 Drugs, Section 624.03 Drug Possession Offenses, Paragraph (c)(5) in order to strengthen our ability to fight this drug epidemic; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Six General Offenses Code, Chapter 624 Drugs, Section 624.03 Drug Possession Offenses, Paragraph (c)(5) of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

SECTION 624.03 DRUG POSSESSION OFFENSES.

(c)(5) As used in this division, “spice” means 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol. If the drug involved is spice or a compound, mixture, preparation, or substance containing spice, whoever violates division (a) of this section is guilty of possession of spice, a minor misdemeanor.

(c)(5) If the drug involved is 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol or a compound, mixture, preparation, or substance containing 1-Pentyl-3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, whoever violates division (A) of this section is guilty of possession of spice, a fourth degree misdemeanor.

Section 2. Section 624.03 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 624 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part Six General Offenses Code, Chapter 624 Drugs, Section 624.03 Drug Possession Offenses, Paragraph (c)(5) in order to strengthen our ability to fight this drug epidemic.
THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESEIDENT OF COUNCIL  
DATE PASSED: May 15, 2012

APPROVED: /s/ Robert A. Stefanik  
MAYOR  
DATE APPROVED: May 16, 2012

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES  
First reading suspended
Second reading suspended
Third reading May 15, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey
       Marnecheck, Muller, Kasaris

NAYS: none