

HEALTH REGULATION #17

SYNTHETIC CANNABINOIDS



Adopted by the Tooele County Board of Health

Date

Under Authority of Section 26A-1-121
Utah Code Annotated, 1953, as amended

Certified Official Copy
Tooele County Health Department

By: _____
Director

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1.0 PURPOSE

The purpose of this regulation is to protect the public health, safety and welfare of the residents of Tooele County by prohibiting the production, distribution and possession of “spice” or any substance containing synthetic cannabinoids.

Tooele County Board of Health (hereinafter “Board of Health”) finds and determines that the substances described hereunder are often used as an alternative to marijuana, that the substances are potentially dangerous to users, that the long term effects are not yet known, that a high number of hospitalizations have been reported in connection with the use of the substances; and the substances described hereunder are not yet categorized as illegal controlled substances under State or Federal law, and that it is proper and necessary for the Board of Health to exercise its authority to safeguard and protect public health and safety; and any use of the substances described hereunder, other than the use of these substances to become intoxicated, are of minimal benefit.

2.0 SCOPE

This regulation is applicable within all incorporated and unincorporated areas of Tooele County.

3.0 AUTHORITY AND APPLICABLE LAWS

- 3.1 This regulation is adopted under the authority of the Tooele County Board of Health in accordance with Title 26-A Chapter 121 of the Utah Code.
- 3.2 Title 58 Chapter 37 of the Utah Code.

4.0 DEFINITIONS

The following terms used in this Regulation shall be defined as follows:

- 4.1 “Spice” is a generic product name and the street name for substances which have been adulterated or laced with synthetic cannabinoids.
- 4.2 Synthetic cannabinoids include the following compounds:
 - 4.2.1 1-Pentyl-3-(1-naphthoyl) indole, also known as JWH-018.

- 4.2.2 1-Butyl-3-(1-naphthoyl) indole, also known as JWH-073.
- 4.2.3 N-benzylpiperazine, also known as BZP.
- 4.2.4 1-3({trifluoromethylphenyl}) piperazine, some trade or other names: TFMPP or;
- 4.2.5 any structurally similar analogs of the substances listed above

5.0 PROHIBITED ACTIVITIES

Except as authorized by Title 58 Chapter 37 of the Utah Code, as amended, it is a violation of this Health Regulation for any person to knowingly and intentionally:

- 5.1 Produce, manufacture, dispense, or;
- 5.2 possess with intent to produce, manufacture, or dispense, or;
- 5.3 distribute, or agree, consent, offer, or arrange to distribute, or;
- 5.4 possess with the intent to distribute or use synthetic cannabinoid
- 5.5 possess or use any product or substance that contains a synthetic cannabinoid

6.0 PENALTY

Any person, who is found guilty of violating any of the provisions of this Regulation, is guilty of a class B misdemeanor, pursuant to Section 26A-1-123, Utah Code Ann., 1953, as amended. If a person is found guilty of a subsequent violation within two years, he is guilty of a class A misdemeanor, pursuant to § 26A-1-123, Utah Code Ann., 1953, as amended.

7.0 AUTHORIZED PURPOSES

Any person or entity who qualifies as a Practitioner under Title 58 Chapter 37 of the Utah Code shall be regarded as licensed to administer, dispense, or conduct research with the above substances if they are authorized to do so under the laws of this state.

8.0 SUBSEQUENT STATE ACTION

If the Utah State Legislature adopts a statute enacting criminal penalties for prohibitions set forth in this Regulation, then upon the effective date of such state statute, provisions of this ordinance that are covered by the state statute shall no longer be deemed effective. Any violations of this Regulation prior to a state statute becoming effective may be prosecuted. If there are provisions of this Regulation that are not covered by the state statute, those provisions will remain in effect and may be prosecuted.

Kathy Taylor, Chair
Tooele County Board of Health

Myron Bateman, Director
Tooele County Health Department