

**ORDINANCE PROHIBITING THE USE, PURCHASE, POSSESSION,
DISTRIBUTION, SALE OR OFFERING FOR SALE OF SYNTHETIC OPIOID
OR OTHER SYNTHETIC PRODUCTS; PROHIBITED.**

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 Opioid 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 AS FOLLOWS:

SECTION I.

Use, purchase, possession, distribution, sale or offering for sale of synthetic opioid, other synthetic products, or kratom; prohibited.

- 1) No person shall use, possess, purchase, distribute, manufacture, sell or attempt to use, possess, purchase, distribute or sale or publicly display for sale any one or more of the following within the county:

- a. Products sold as “kratom”, or any part of the plant *Mitragyna speciosa*, *Mitragyna speciosa* Korth., *Mitragyna speciosa* leaf extract, *Mitragyna speciosa* extract, whether growing or not, and any compound, manufacture, salt, derivative, capsule, tablet, caplet, gelcap, pill, powder, liquid, vegetative material, mixture, or preparation of the plant, including but not limited to any product containing mitragynine, or 7-hydroxymitragynine.
 - b. This includes any *Mitragyna speciosa* specific alkaloids, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, including but not limited to synthetics or natural products which include the active ingredients in kratom, such as:
 - i. Ajmalicine (raubasine);
 - ii. Mitraphylline;
 - iii. Rhynchophylline;
 - iv. Mitragynine pseudoindoxyl;
 - v. Or other similar product(s) with the active ingredients or with similar structural analogs commonly found in Kratom, including:
 1. Corynantheidine, 7-acetoxymitragynine, corynoxine A and B, 3-dehydromitragynine, 3-isocorynantheidine, 3-isopaynantheine, isomitraphylline, isospeciofoline, isospecionoxeine, mitraciliatine, mitrafoline, mitragynaline, mitraphylline, mitraspecin, paynantheine, speciociliatin, speciofolin, speciogynine, specionoxein, speciophylline, and stipulatine.
 - vi. This shall include every variation of products sold using the trade name Kratom or similar trade names or descriptors, including, but not limited to: Krathom, Kakuam, Ketum, Kratum, Ithang, Thang, Thom, Biak, Biak-Biak, Mambog, Super K, Life Force K, K-Chill, Herbal Speedball, VivaZen, or K-shot.
- 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 by law enforcement officials.
 - 3) It shall not be an offense under subsection (a) above of this Ordinance if a person shall be acting at the direction of an authorized agent of the Lafayette County Sheriff’s Department, or ensure compliance with this law prohibiting the use, possession, purchase, distribution or sale or the attempt to use, possess, purchase, distribute or sale 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 or 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 \$1,000.00 or imprisoned in the county jail not to exceed six months or both.

SECTION II. REPEALING CLAUSE

All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

SECTION III. EFFECTIVE DATE

The Lafayette County Board of Supervisors find that the above Ordinance having being first reduced to writing and read and considered section by section at a public meeting or the governing authorities of Lafayette County Mississippi on motion of Supervisor Gillespie, seconded by Supervisor Larson, and the roll being called, the same by the following votes:

Supervisor Mike Roberts President	voted	<u>yea</u>
Supervisor Brent Larson District 1	voted	<u>yea</u>
Supervisor Larry Gillespie District 2	voted	<u>yea</u>
Supervisor David Rikard District 3	voted	<u>yea</u>
Supervisor Chad McLarty District 4	voted	<u>yea</u>

APPROVED, this the 4th day of, January, 2021

Mike Roberts

MIKE ROBERTS
PRESIDENT, BOARD OF SUPERVISORS
LAFAYETTE COUNTY, MISSISSIPPI

Sherry Wall
SHERRY WALL, CLERK

