ZONING, PLANNING & ORDINANCE COMMITTEE MEETING MINUTES
JANUARY 10, 2012 – 6:30 P.M.

Chairman Opper called the meeting to order at 6:30 p.m. Committee members present: Aldermen Opper, Logan and Ulmer. Alderman Leyden was absent. Also present were Mayor Nolan, City Clerk Wells, City Administrator Nelson, Aldermen Marzahl and Musgrove and Chief Kazy-Garey.

Soliciting in Public Right of Way

The Committee discussed proposed regulations, as attached, for solicitors on public highways and right of ways. The following regulations were discussed and clarified:
#6 Solicitors shall be at least 16 years of age
#10 Six solicitation permits shall be issued City wide during any one calendar year
#11 Hours of solicitation shall be from 9 am – 6 pm
#12 Permits shall be limited to consecutive Friday's and Saturday's
#13 Location for solicitation shall be limited to the Five Points intersection
#15 It is not necessary to have the names of solicitors
#18 In the event of a violation, the organization to be disqualified for a permit to solicit for the subsequent calendar year.

Moved by Logan, seconded by Ulmer to recommend to the City Council to approve the regulations as discussed and directed Administrator Nelson and Clerk Wells to draft an ordinance adding the regulations to Chapter 22, Peddlers and Solicitors.

Second Hand Drop-Off Containers

The Committee discussed proposed regulations, as attached, for Second-Hand Articles Drop-Off Containers. Moved by Logan, seconded by Ulmer to recommend to the City Council to approve the regulations as discussed and directed Administrator Nelson and Clerk Wells to draft an ordinance adding the regulations to Chapter 21, Business Regulations. The penalty section shall refer to Section 1.14 with the SOF listed at $250 and $500. All ayes. Motion carried.

Vehicle Impoundment

The Committee discussed a proposed ordinance amending Section 15.21, Regarding Motor Vehicle Seizure and Impoundment. Moved by Ulmer, seconded by Logan to recommend to the City Council that the ordinance be approved as presented. All ayes. Motion carried.

Synthetic Drug Control

The Committee discussed local synthetic drug control ordinances as attached. No action taken.

Chief's Memo/Recommendations

Chief Kazy-Garey's reviewed his memo/recommendations outlining proposed amendments to the Municipal Code:

1. Section 4.08, Police Pension Fund and Police Pension Board, to add language to incorporate 40 ILCS 5/1-101. Section 4.08 to read as follows: *Pursuant to 40 ILCS 5/1-101 and 40 ILCS 5/3-101 et seq., said provisions are hereby adopted and all applicable provisions therein (or as amended by the State Legislature in the future) are herein by reference as if fully set forth herein.*
2. Chapter 21, Business Permit Application (All Business Permits), to establish standard regulations.
3. Chapter 25.13, Section A.1 , Liquor Control to read: *Violate or permit a violation of any federal law, state statute or regulation related to the control of liquor. The local Liquor Commissioner may enter and authorizes any law enforcement officer to enter at any time upon any premises*

licensed hereunder to determine whether any of the provisions of this Ordinance or any rules or regulations adopted by him or by the State Commission have been or are being violated, and at such time to examine said premises of said licensee in connection therewith.

4. Chapter 21, Review each subsection of Chapter 21 for penalties and to coordinate with Section 1.14, Settlement of Offenses.

Moved by Logan, seconded by Ulmer to recommend to the City Council that Section 4.08, Police Pension Fund and Police Pension Board and Section 25.13(A)1 be amended as presented and directed Administrator Nelson and Clerk Wells to draft an ordinance amending Section 4.08 and 25.13(A)1as discussed. All ayes. Motion carried.

Moved by Logan, seconded by Ulmer to adjourn the meeting. All ayes. Motion carried.

Meeting adjourned 7:22 p.m.

Submitted by:
Chairman Opper

Solicitation or seeking contributions by charitable organizations to occupants of a vehicle to pedestrians in the Public Right of Way shall be permitted with the following conditions.

1. A permit is issued by the Mayor and City Council
2. The soliciting agency shall be registered with the Attorney General as a charitable organization.
3. The soliciting agency has actually engaged in charitable purposes for not less than one year prior to filing of its application with the City.
4. The soliciting agency shall be form the City of Harvard or affiliated with a local chapter or group.
5. Shall be a tax exempt charitable organization as determined by the United States Internal Revenue Service.
6. Solicitors shall be at least _____ years of age.
    a. (seems to be split 16 of 18)
7. Insurance
    a. $1,000,000.00 per claim $2,000,000.00 per occurrence and City as additional insured.
    b. Indemnification of the City of Harvard
8. Solicitors shall wear high visibility vests.
9. Every Person who solicits funds on behalf of an organization shall wear a uniform or article of clothing which informs the general public of the identity of the organization, or shall wear or carry such other emblem, button, sign or insignia that fully and clearly informs the public of the identity of the organization.
10. How many permits shall be issued in a year?
11. Day light hours only?
12. How many days per permit?
13. Do we want to limit the locations?
14. Every solicitor shall be unpaid.
15. Do we want names of the solicitors?
16. There shall be no soliciting when in the opinion of the Chief of Police or his designee, that solicitation shall constitute a clear traffic hazard or endangerment of the general public.
17. Any person soliciting funds on behalf of an organization who shall willfully or unnecessarily hinder, obstruct, or delay or attempt to delay, obstruct or hinder any person from lawfully driving or traveling along or upon any street or thoroughfare within the City shall be guilty of a violation of this chapter.
18. Penalties?

CHAPTER 118: LICENSING SECOND-HAND ARTICLES DROP-OFF CONTAINERS

Section

118.01 Definition
118.02 Prohibitions
118.03 Licensing
118.04 Regulations
118.05 Non-usable container
118.06 Application for license

118.99 Penalty

§ 118.01 DEFINITION.

A ***SECOND HAND ARTICLES DROP OFF CONTAINER*** is any receptacle, box, or holder used to collect second hand articles. Whenever the words ***CONTAINER*** or ***CONTAINERS*** are used herein, they shall mean a ***SECOND HAND ARTICLES DROP OFF CONTAINER***. Examples of such containers are the containers placed by Good Will, Amvets, and other non-profit/charitable organizations for the collection of second hand articles.
(Ord. 01-09-13-03, passed 7-12-01)

§ 118.02 PROHIBITIONS.

Second hand articles drop off containers are prohibited in all zoning districts except in the "M" Manufacturing Zoning District.
(Ord. 01-09-13-03, passed 7-12-01) Penalty, see § 118.99

§ 118.03 LICENSING.

All containers located in the Village must be inspected and licensed by the Village. The inspection shall be conducted annually by the Building Department. The annual fee for such a license and inspection shall be $250 for the first container owned by the entity and $50 for each additional container owned by the entity that is located in the Village.
(Ord. 01-09-13-03, passed 7-12-01)

§ 118.04 REGULATIONS.

The following regulations shall apply to all such containers:

(A) No articles shall be permitted to accumulate outside of the container;

(B) The container must not block any public road or sidewalk;

(C) The container must not impede motorists' line of sight;

(D) No flammable or hazardous materials or perishable items should be placed or kept in said container;

(E) The container shall be no larger than 60 cubic feet;

(F) The container shall be anchored to the ground in such a manner that it cannot be easily tipped over;

(G) The container and the area surrounding it shall be kept clean and free from trash and debris;

(H) The container shall be kept freshly painted and no rust shall be allowed to show;

(I) The container shall be equipped with a lid and/or doors that automatically close after articles are deposited in the container.
(Ord. 01-09-13-03, passed 7-12-01) Penalty, see § 118.99

§ 118.05 NON-USABLE CONTAINER.

Once a container becomes unusable, or does not pass inspection by the Building Department, it must be immediately removed. If it is not removed within seven days of the Building Department's notice to remove, the Village may remove and dispose of same and charge the licensee its costs of removal and disposal.
(Ord. 01-09-13-03, passed 7-12-01) Penalty, see § 118.99

§ 118.06 APPLICATION FOR LICENSE.

An applicant for a license must submit an application form provided by the Village. The applicant must sign the application. In the event the applicant is a corporation or partnership, it must be signed by the President and secretary of the corporation, if a corporation, and by all the partners if a partnership. All such signatures shall be under oath. The application shall contain, at a minimum, the following information and documents:

(A) Name and principal street address of applicant;

(B) A statement that the applicant is a not-for-profit entity (documentation evidencing same shall be furnished);

(C) A description of where the used articles are sent and the ultimate disposition of same;

(D) Whether the used articles are sold, and if so, an explanation why;

(E) A statement as to how long the entity has been in business;

(F) A color photograph of the proposed container; and

(G) A site plan showing the proposed location of the container.

(H) Shall have permission from property owner
(Ord. 01-09-13-03, passed 7-12-01)

§ 118.99 PENALTY.

The general penalty provisions of the Village codified ordinances shall be applicable to violations of this chapter. Additionally, the Village shall be entitled to recover all costs and expenses, including its reasonable attorney's fees, that it may incur in enforcing the provisions of this chapter.
(Ord. 01-09-13-03, passed 7-12-01)

ORDINANCE NO. 2012 - _____

An Ordinance Amending Section 15.21 of the Harvard Municipal Code Regarding Motor Vehicle Seizure and Impoundment

BE IT ORDAINED by the Mayor and City Council of the CITY OF HARVARD, McHenry County, Illinois, as follows:

SECTION 1: Section 15.21, Seizure and Impoundment of Motor Vehicles, of the Harvard Municipal Code shall be amended to read as follows:

15.21: **VEHICLE IMPOUNDMENT**

A. In addition to any fees charged for the towing and storage of an impounded vehicle, the City may impose an administrative fee not to exceed $500 related to its administrative and processing costs associated with the investigation, arrest and detention of an offender, or the removal, impoundment, storage and release of the vehicle. The administrative fee shall be waived upon verifiable proof that the vehicle was stolen at the time the vehicle was impounded.

B. The administrative fee may be imposed and a motor vehicle may be impounded upon probable cause that any of the following violations have occurred:

1. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to 720 ILCS 5/36-1; or

2. Driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of 625 ILCS 5/11-501; or

3. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act (720 ILCS 550/1 *et seq.*); or

4. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act (720 ILCS 570/101 *et seq.*); or

5. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of 720 ILCS 5/24-1, Unlawful Use of Weapons, 5/24-1.5, Reckless District of a Firearm, or 5/24-3.1, Unlawful Possession of Firearms and Firearm Ammunition; or

6. Driving while a driver's license, permit, or privilege to operate a motor

vehicle is suspended or revoked pursuant to 625 ILCS 5/6-303; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or

7. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act (720 ILCS 550/1 *et seq*.) or the Illinois Controlled Substances Act (720 ILCS 570/101 *et seq*.); or

8. Operation or use of a motor vehicle with an expired driver's license, in violation of 625 ILCS 5/6-101, if the period of expiration is greater than one year; or

9. Operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of 625 ILCS 5/6-101, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or

10. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated 625 ILCS 5/6-101, 5/6-303, or 5/11-501; or

11. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16, Theft and Related Offenses, or Article 16A, Retail Theft, of Chapter 720 of the Illinois Compiled Statutes; or

12. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of 720 ILCS 5/1-1 *et seq.*), when so provided by this Code.

C. The following shall apply to any fees imposed for administrative and processing costs pursuant to Section 15.21-B.

1. All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner. The registered owner shall be the record titleholder to a motor vehicle as registered with the Illinois Secretary of State or any other applicable governmental agency.

2. The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.

3. The fees shall be uniform for all similarly situated vehicles.

4. The fees shall be collected by and paid to the City.

5. The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle. Costs for towing and storage of a motor vehicle shall be those approved by the Chief of Police for all tow companies authorized to tow for the Police Department.

D. Administrative Hearing: A hearing shall be provided pursuant to 625 ILCS 5/11-208/3(b)(4). The vehicle shall be released to the owner of record, lessee or a lienholder of record upon payment of all administrative fees and towing and storage fees.

E. Administrative Hearing Requirements:

1. Administrative hearings shall be conducted by a hearing officer who is an attorney licensed to practice law in the state for a minimum of 3 years and who is not an officer or employee of the City. The hearing officer shall be designated by the City Administrator;

2. The hearing officer shall have the power to administer oaths and to secure the attendance and testimony of witnesses and the production of relevant books and papers via subpoena;

3. The hearing shall be recorded and the technical/formal rules of evidence shall not apply;

4. Individuals appearing before the hearing officer shall have the right to be represented by counsel at their own expense;

5. At the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment;

6. If the basis for the vehicle impoundment is sustained by the administrative hearing officer, any administrative fee posted to secure the release of the vehicle shall be forfeited to the City;

7. All final decisions of the administrative hearing officer shall be subject to review under the provisions of the Administrative Review Law; and

8. Unless the administrative hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to the owner, lessee or lienholder of record until all administrative fees and towing and storage

charges are paid.

F. Notice of Impoundment: The following provisions shall be observed concerning notice of impoundment:

1. Whenever a police officer has cause to believe that a motor vehicle is subject to impoundment, the officer shall provide for the towing of the vehicle to a facility authorized by the municipality.

2. At the time the vehicle is towed, the City shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing.

3. The City shall provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the City a bond equal to the administrative fee as provided by this Code and pays for all towing and storage charges.

G. Notice of Hearing: The registered owner or lessee of the vehicle and any lienholder of record shall be provided with a notice of hearing. The notice shall:

1. Be served upon the owner, lessee and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;

2. Be served upon interested parties within 10 days after a vehicle is impounded by the City; and

3. Contain the date, time and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

H. Vehicles not retrieved from the towing or storage facility within 35 days after the administrative officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of 625 ILCS 5/4-201 *et seq.*, Abandoned, Lost, Stolen or Unclaimed Vehicles.

I. Unless stayed by a court of competent jurisdiction, any fine, penalty or administrative fee imposed under this Chapter which remains unpaid in whole or in part after the expiration of the deadline for seeking review under Section 15.21-J of this Code, may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

J. Applicability of Other Laws: This Section is in addition to and shall not replace or otherwise abrogate any existing state or federal laws or any ordinance that relates to the seizure or impoundment of motor vehicles, and any fee provided for in this Section shall be in addition to any and all penalties that may be assessed or imposed by a court for any criminal charges. This Section shall not apply: (1) if the motor vehicle used in the violation was stolen at the time of the violation or (2) if the motor vehicle is subject to successful forfeiture proceedings under 725 ILCS 150/1, *et seq*. as amended (Drug Asset Forfeiture Procedure Act); 720 ILCS 5/36-1, *et seq*. as amended (Seizure and Forfeiture of Vessels, Vehicles and Aircraft); or (3) other state or federal forfeiture laws.

K. Administrative Review: Any owner of record, lien holder or other person with a legal interest in the motor vehicle, shall have the right to appeal the decision of the hearing officer to the 22nd Judicial Circuit Court, pursuant to the Administrative Review Act, 735 ILCS 5/3-101, *et seq.* as amended. Any respondent seeking review of a final decision shall be required to reimburse the City for the costs of preparing and certifying the record of proceedings. Failure of the respondent to reimburse the City shall be grounds for the dismissal of a complaint for administrative review pursuant to 735 ILCS 5/3-109. In the event the reviewing court reverses the findings, decision and order of the Administrative Law Judge, the City will reimburse the respondent for the costs for preparing and certifying the record of proceedings. Any administrative fee posted with the City to secure the release of a motor vehicle prior to a hearing shall be held by the City until the hearing officer issues a decision or, if there is judicial review of the hearing officer's decision, until a reviewing court issues a final decision.

L. Administrative Fee Refund: A finding of "not guilty" following a trial in the 22nd Judicial Circuit Court for the underlying violation wherein the motor vehicle was impounded, shall entitle the owner of record to a full and complete refund of any administrative fee imposed under this Section. However, the owner of record must request the refund in writing and shall include in the request a certified disposition of "not guilty" following a trial from the 22nd Circuit Court Clerk. An order of dismissal or a negotiated disposition on the underlying charge(s) shall not result in a refund of the administrative fee.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Aye:

Nay:

Absent:

Abstain:

APPROVED:

_____
Mayor Jay T. Nolan

(SEAL)
ATTEST: _____
City Clerk Andy Wells

Passed: _____

Approved: _____

Published: _____
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C E R T I F I C A T I O N

I, ANDY WELLS, do hereby certify that I am the duly elected, acting and qualified Clerk of the City of Harvard, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and Aldermen of said City of Harvard.

I do hereby further certify that at a regular meeting of the Mayor and Aldermen of the City of Harvard, held on the _____ day of _____, 2012, the foregoing Ordinance entitled *An Ordinance Amending Section 15.21 of the Harvard Municipal Code Regarding Motor Vehicle Seizure and Impoundment*, was duly passed by the Mayor and Aldermen of the City of Harvard.

The pamphlet form of Ordinance No. 2012-_____, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the _____ day of _____, 2012, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and corporate seal of the City of Harvard this _____ day of _____, 2012.

_____
Andy Wells, Clerk
City of Harvard,
McHenry County, Illinois

(SEAL)

SYNTHETIC DRUG CONTROL

LOCAL ORDINANCES

- CITY OF CHICAGO
- VILLAGE OF NORTH AURORA
- VILLAGE OF SUGAR GROVE

Office of the Chicago City Clerk

O2011-9400

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	11/9/2011
Sponsor(s):	O'Shea, Matthew J. (19) Thompson, Joann (16) And Others, And Others (0)
Type:	Ordinance
Title:	Amendment of Chapter 4-4 of Municipal Code by creating new Section 333 to prohibit sale of synthetic marijuana in Chicago
Committee(s) Assignment:	Committee on Finance

Committee on Finance

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Corporate Authorities of the City of Chicago have encountered businesses selling products containing synthetic alternatives to the active ingredient of marijuana, or tetrahydrocannabinol (THC); and

WHEREAS, several of these synthetic cannabinoids are not yet categorized as illegal controlled substances under State or Federal law; and

WHEREAS, products containing these synthetic cannabinoids are particularly enticing to children and young adults due to their availability at neighborhood stores and their marketing as being legal; and

WHEREAS, the Drug Enforcement Administration (DEA) has determined that the consumption of synthetic cannabinoids can cause adverse health effects such as agitation, anxiety, nausea, vomiting, tachycardia, elevated blood pressure, tremors, seizures, hallucinations, paranoid behavior and non-responsiveness; and

WHEREAS, the American Association of Poison Control Centers has reported 2,700 synthetic cannabinoid related calls to poison control centers in 49 different states; and

WHEREAS, in 2010, the Illinois Poison Control Center received 70 synthetic cannabinoid related calls and has fielded 53 similar calls during the first quarter of 2011; and

WHEREAS, the City Council of the City of Chicago hereby finds that it is in the best interest of the public health, safety and welfare to prohibit the sale of synthetic cannabinoids in the City; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 4-4 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-4-333, as follows:

4-4-333 Synthetic marijuana.

(a) As used in this Section, "synthetic marijuana" means any product, whether described as tobacco, potpourri, herbs, incense, spice, aromatic, or any combination thereof, and whether marketed for the purpose of being smoked or otherwise marketed, which includes one or more of the following hallucinogenic substances:

(1) 1-Pentyl-3-(1-naphthoyl) indole; some trade or other names: JWH-018; or

(2) 1-Butyl-3-(1-naphthoyl) indole; some trade or other names: JWH-073; or

(3) 1-[2-(4-morpholinyl) ethyl]-3-(1-naphthoyl) indole; some trade or other names: JWH-200; or

(4) 5-(1,1- dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol; some trade or other names: CP-47,497; or

(5) 5-(1, 1-dimethyloctyl)-2-[(1R, 3S)-3-hydroxycyclohexyl]-phenol; some trade or other names: cannabicyclohexanol; CP-47,497 C8 homologue; or

(6) any other non-prescription substance that has a chemical structure and/or pharmacological effect substantially similar to the active ingredient of marijuana, or tetrahydrocannabinol (THC).

(b) No licensee under this Code shall sell, offer for sale, give away, barter, exchange or otherwise furnish any synthetic marijuana in the City of Chicago.

(c) Except as otherwise provided in this Chapter, any person who violates any of the requirements of this Section or any regulation promulgated thereunder shall be fined not less than $500.00 nor more than $1000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(d) Any violation of this Section or any regulation promulgated thereunder may result in license suspension or revocation in accordance with the requirements of Section 4-4-280 of this Code.

SECTION 3. This ordinance shall be in full force and effect upon passage and publication.

Matt O'Shea, Alderman, 19th Ward

LaAnn Thompson 16th

VILLAGE OF NORTH AURORA
KANE COUNTY, ILLINOIS

ORDINANCE NO. 11-10-17-04

AN ORDINANCE AMENDING TITLE 9 OF THE NORTH AURORA CODE TO ADD CHAPTER 9.36 BANNING SYNTHETIC ALTERNATIVE DRUGS IN THE VILLAGE OF NORTH AURORA

Adopted by the Board of Trustees
And Village President
of the Village of North Aurora
This 17th day of October, 2011

Published in Pamphlet Form
By Authority of the Board of Trustees
of the Village of North Aurora
Kane County, Illinois
This 17th day of October, 2011

Lori Murray By: Cynthia Dorraco
Lori Murray, Village Clerk DEPUTY CLERK

THE VILLAGE OF NORTH AURORA

ORDINANCE NO 11-10-17-04

AN ORDINANCE AMENDING TITLE 9 OF THE NORTH AURORA CODE TO ADD CHAPTER 9.36 BANNING SYNTHETIC ALTERNATIVE DRUGS IN THE VILLAGE OF NORTH AURORA

WHEREAS, the Village of North Aurora has encountered products being sold at commercial businesses within its corporate boundaries containing compounds originally designed as synthetic alternatives (*i.e.,* synthetic cannabinoids, synthetic stimulants and/or synthetic psychedelic/hallucinogens) to prohibited controlled substances such as tetrahydrocannibol (THC), cathinone, methcathinone, MDMA and MDEA; and

WHEREAS, the Village of North Aurora finds that products containing such synthetic alternatives may be purchased for recreational use currently as an alternative to otherwise regulated controlled substances banned at the Federal, State, and local levels; and

WHEREAS, the Village of North Aurora finds that products containing synthetic cannabinoids, synthetic stimulants and synthetic psychedelic/hallucinogens are particularly attractive to children and young adults due to their availability in small packages at neighborhood stores at minimal costs, as well as due to the names being given to these substances which are intended to appeal to children and young adults, as set forth on Exhibit "A" attached hereto; and

WHEREAS, the Drug Enforcement Administration ("DEA") has determined that the consumption of synthetic cannabinoids can have adverse health effects such as agitation, anxiety, nausea, vomiting, tachycardia, elevated blood pressure, tremors, seizures, hallucinations, paranoid behavior and non-responsiveness; and

WHEREAS, the DEA has determined that consumption of synthetic stimulants affect alertness, and have been linked to severe psychotic episodes, increased heart rates, panic attacks, and hallucinations; and

WHEREAS, the American Association of Poison Control Centers has reported 2,700 synthetic cannabinoid-related calls to poison control centers in 49 different states; and

WHEREAS, the Village of North Aurora is also aware of fatal overdoses and fatal consequences of use in the Village, in other Illinois communities and in other States, which are believed to have resulted from the users' consumption of synthetic stimulants, cannabinoids or psychedelic/hallucinogens; and

WHEREAS, the Village of North Aurora deems it necessary and desirable to prohibit the sale, delivery, possession and use of products containing synthetic cannabinoids, synthetic stimulants and synthetic psychedelic/hallucinogens in order to protect the public health, safety and welfare of the citizens of North Aurora.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Trustees of the Village of North Aurora, Illinois, as follows:

Section One: That the recitals set forth above are incorporated herein by reference the same as if they were set forth herein verbatim and they are adopted as the findings of the Village Board of the Village of North Aurora.

Section Two: That Title 2 of the North Aurora Code be and hereby is amended by adding a new Chapter 9.36 entitled "Synthetic Alternative Drugs" to read as follows:

Chapter 9.36

SYNTHETIC ALTERNATIVE DRUGS

9.36.010 Definitions.

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires different meaning:

A. A *product containing a synthetic alternative drug* means any product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen, as those terms are defined herein such as, but not limited to, the examples of brand names or identifiers listed on Exhibit "A" attached hereto and incorporated herein.

B. S*ynthetic cannabinoid* means any laboratory-created compound that functions similar to the active ingredient in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers) containing a cannabinoid receptor agonist, such as:

- JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole)
- JWH-015 ((2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone)
- JWH-018 (1-pentyl-3-(1-naphthoyl)indole)
- JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole)
- JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone)
- JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-098 (4-methoxynaphthalen-1-yl-(1-pentyl-2-methylindol-3-yl)methanone)
- JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole)
- JWH-164 (7-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone
- JWH-200 (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone)
- JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone
- JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone
- JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole)
- JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole)
- JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole)
- HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol)

- HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol)
- HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol)
- HU-331 ((3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione)
- CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]- 5-(2-methyloctan-2-yl)phenol)
- CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5- (2-methyloctan-2-yl)phenol) and its homologues
- WIN 55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo [1,2,3-de)-1,4-benzoxazin-6-yl]-1-nepthalenylmethanone)
- RCS-4 ((4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone)
- RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenyl)ethanone)

C. *Synthetic stimulant* means any compound that mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA and MDEA, including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, and salts of isomers) containing substances which have a stimulant effect on the central nervous system, such as:

- 3-Fluoromethcathinone
- 4-Fluoromethcathinone (other name: flephedrone)
- 3,4-Methylenedioxymethcathinone (other name: methylone, MDMC)
- 3,4-Methylenedioxypyrovalerone (other name: MDPV)
- 4-Methylmethcathinon (other names: mephedrone, 4-MMC)
- 4-Methoxymethcathinone (other names: methedrone, bk-PMMA, PMMC)
- 4-Ethylmethcathinone (other name: 4-EMC)
- Ethcathinone
- Beta-keto-N-methylbenzodioxyolylpropylamine (other names: butylone, bk-MBDB)
- Napthylpyrovalerone (other names: naphyrone, NRG-1)
- N,N-dimethylcathinone (other name: metamfepramone)
- Alpha-pyrrolidinopropiophenone (other name: alpha-PPP)
- 4-methoxy-alpha-pyrrolidinopropiophenone (other name: MOPPP)
- 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name: MDPPP)
- Alpha-pyrrolidinovalerophenone (other name: alpha-PVP)
- 6,7-kihydro-5H-indeno(5,6-d)-1,3-dioxal-6-amine) (other name: MDAI)
- Any compound that is structurally derived from 2-amino-1-phenyl-1-propanone by modification or substitution in any of the following ways:
  - in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
  - at the 3-position with an alkyl substituent;
  - at the nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;
  - or by inclusion of the nitrogen atom in a cyclic structure.

D. *Synthetic psychedelic/hallucinogen* means any compound that mimics the effects of any federally controlled Schedule I substance, including but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, esters, ethers and salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain, such as:

- 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
- 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);
- 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
- 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
- 2-(4-(Ethylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 2-(4-(Isopropylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-4);
- 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);
- 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

9.36.020 Sale or Delivery.

It shall be unlawful for any person to sell, offer for sale or deliver any product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

9.36.030 Possession.

It shall be unlawful for any person to knowingly possess a product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

9.36.040 Use.

It shall be unlawful for any person to be under the influence of a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

9.36.020 Penalties.

A. Any person found to be in violation of Section 9.36.020 shall be subject to fine of not less than $500 and not more than $750 for each violation thereof. Any person under the age of seventeen (17) who violates Section 9.36.020 shall, in addition to paying the above fine, complete not less than one hundred (100) hours and not more than two hundred (200) hours of public or community service. Any person seventeen (17) years of age or older who violates Section 9.36.020 shall, in addition to paying the above fine, serve not less than one (1) month and not more than six (6) months' incarceration in a penal institution.

B. Any person found to be in violation of Section 9.36.030 or Section 9.36.040 shall be subject to fine of not less than $100 and not more than $750 for each violation thereof. Any person under the age of seventeen (17) who violates Section 9.36.030 or Section 9.36.040 shall, in addition to paying the above fine, complete not less than fifty (50) hours and not more than one hundred (100) hours of public or community service. Any person seventeen (17) years of age or older who violates Section 9.36.030 or Section 9.36.040 shall, in addition to paying the above fine, serve not less than one (1) day and not more than thirty (30) days incarceration in a penal institution.

C. Each violation of this ordinance, or everyday a violation continues to exist, shall constitute a new and separate violation.

Section Three: This ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Section Four: Any Section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 17th day of October, 2011, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 17th day of October, 2011, A.D.

Laura Curtis	Yes	Chris Faber	Yes
Mark Gaffino	Yes	Mark Guethle	Yes
Ryan Lambert	Yes	Vince Mancini	Yes

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 17th day of October, 2011, A.D.

Dale B Elma
Village President

ATTEST:

Lori Murray
Village Clerk

R:\Secretary\Clients - Municipal\Village of North Aurora\Ordinances (Misc.)\Synthetic Marijuana\Ordinance Banning Synthetic Drugs 9-11.doc

VILLAGE OF SUGAR GROVE

ORDINANCE NO. 20111004

AN ORDINANCE AMENDING THE VILLAGE OF SUGAR GROVE VILLAGE CODE, TITLE 3, CHAPTER 6 (SYNTHETIC DRUGS)

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
THIS 4TH DAY OF OCTOBER, 2011.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
ILLINOIS, THIS 4TH DAY OF OCTOBER 2011.

ORDINANCE NO. 20111004

AN ORDINANCE AMENDING THE VILLAGE OF SUGAR GROVE
VILLAGE CODE, TITLE 3, CHAPTER 6
(SYNTHETIC DRUGS)

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village of Sugar Grove has encountered products being sold at commercial businesses within its corporate boundaries containing compounds originally designed as synthetic alternatives (*i.e.,* synthetic cannabinoids, synthetic stimulants and/or synthetic psychedelic/hallucinogens) to prohibited controlled substances such as tetrahydrocannibol (THC), cathinone, methcathinone, MDMA and MDEA; and

WHEREAS, the Village of Sugar Grove finds that products containing such synthetic alternatives may be purchased for recreational use currently as an alternative to otherwise regulated controlled substances banned at the Federal, State, and local levels; and

WHEREAS, the Village of Sugar Grove finds that products containing synthetic cannabinoids, synthetic stimulants and synthetic psychedelic/hallucinogens are particularly attractive to children and young adults due to their availability in small packages at neighborhood stores at minimal costs, as well as due to the names being given to these substances which are intended to appeal to children and young adults, as set forth on Exhibit "A" attached hereto; and

WHEREAS, the Drug Enforcement Administration ("DEA") has determined that the consumption of synthetic cannabinoids can have adverse health effects such as agitation, anxiety, nausea, vomiting, tachycardia, elevated blood pressure, tremors, seizures, hallucinations, paranoid behavior and non-responsiveness; and

WHEREAS, the DEA has determined that consumption of synthetic stimulants affect alertness, and have been linked to severe psychotic episodes, increased heart rates, panic attacks, and hallucinations; and

WHEREAS, the American Association of Poison Control Centers has reported 2,700 synthetic cannabinoid-related calls to poison control centers in 49 different states; and

WHEREAS, the Village of Sugar Grove is also aware of fatal overdoses in other Illinois communities and in other States, which are believed to have resulted from the users' consumption of synthetic stimulants, cannabinoids or psychedelic/hallucinogens; and

WHEREAS, the Village of Sugar Grove deems it necessary and desirable to prohibit the sale, delivery, possession and use of products containing synthetic cannabinoids, synthetic stimulants and synthetic psychedelic/hallucinogens in order to protect the public health, safety and welfare of the citizens of Sugar Grove.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE:

That Title 5 Chapter 2 of the Village Code of Ordinances be amended by adding a the followings new subsections to read as follows:

5-2-8.1 Synthetic Alternative Drugs.

5-2-8.1-1 Definitions.
For purposes of this article, the following definitions shall apply unless the context clearly indicates or requires different meaning:

(1) A *product containing a synthetic alternative drug* means any product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen, as those terms are defined herein such as, but not limited to, the examples of brand names or identifiers listed on Exhibit "A" attached hereto and incorporated herein.

(2) *Synthetic cannabinoid* means any laboratory-created compound that functions similar to the active ingredient in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers) containing a cannabinoid receptor agonist, such as:

- JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole)
- JWH-015 ((2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone)
- JWH-018 (1-pentyl-3-(1-naphthoyl)indole)
- JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole)
- JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone)
- JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-098 (4-methoxynaphthalen-1-yl-(1-pentyl-2-methylindol-3-yl)methanone)
- JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole)
- JWH-164 (7-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone
- JWH-200 (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone)
- JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone
- JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone
- JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole)
- JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole)
- JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole)
- HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol)
- HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol)
- HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol)
- HU-331 ((3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione)
- CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]- 5-(2-methyloctan-2-yl)phenol)
- CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5- (2-methyloctan-2-yl)phenol) and its homologues
- WIN 55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo [1,2,3-de)-1,4-benzoxazin-6-yl]-1-nepthalenylmethanone)
- RCS-4 ((4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone)
- RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenyl)ethanone)

(3) *Synthetic stimulant* means any compound that mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA and MDEA, including, but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, and salts of isomers) containing substances which have a stimulant effect on the central nervous system, such as:

- 3-Fluoromethcathinone
- 4-Fluoromethcathinone (other name: flephedrone)
- 3,4-Methylenedioxymethcathinone (other name: methylone, MDMC)
- 3,4-Methylenedioxypyrovalerone (other name: MDPV)
- 4-Methylmethcathinon (other names: mephedrone, 4-MMC)
- 4-Methoxymethcathinone (other names: methedrone, bk-PMMA, PMMC)

- 4-Ethylmethcathinone (other name: 4-EMC)
- Ethcathinone
- Beta-keto-N-methylbenzodioxyolylpropylamine (other names: butylone, bk-MBDB)
- Napthylpyrovalerone (other names: naphyrone, NRG-1)
- N,N-dimethylcathinone (other name: metamfepramone)
- Alpha-pyrrolidinopropiophenone (other name: alpha-PPP)
- 4-methoxy-alpha-pyrrolidinopropiophenone (other name: MOPPP)
- 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name: MDPPP)
- Alpha-pyrrolidinovalerophenone (other name: alpha-PVP)
- 6,7-kihydro-5H-indeno(5,6-d)-1,3-dioxal-6-amine) (other name: MDAI)
- Any compound that is structurally derived from 2-amino-1-phenyl-1-propanone by modification or substitution in any of the following ways:

    - in the phenyl ring to any extent with alkyl, alkoxy, alkylenedioxy, haloalkyl, or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
    - at the 3-position with an alkyl substituent;
    - at the nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;
    - or by inclusion of the nitrogen atom in a cyclic structure.

(4) *Synthetic psychedelic/hallucinogen* means any compound that mimics the effects of any federally controlled Schedule I substance, including but not limited to, any quantity of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, esters, ethers and salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain, such as:

- 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
- 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);
- 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
- 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
- 2-(4-(Ethylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 2-(4-(Isopropylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-4);
- 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);
- 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

5-2-8.1-2 Sale or Delivery. It shall be unlawful for any person to sell, offer for sale or deliver any product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

5-2-8.1-3 Possession. It shall be unlawful for any person to knowingly possess a product containing a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

5-2-8.1-4 Use. It shall be unlawful for any person to be under the influence of a synthetic cannabinoid, stimulant or psychedelic/hallucinogen.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois this 4th day of October, 2011.

P. Sean Michels

P. Sean Michels
President of the Board of Trustees
of the Village of Sugar Grove, Kane
County, Illinois

ATTEST: Cynthia L. Galbreath

Cynthia L. Galbreath
Clerk, Village of Sugar Grove

	Aye	Nay	Absent
Trustee Bohler			✓
Trustee Geary	✓		
Trustee Johnson	✓		
Trustee Montalto	✓		
Trustee Paluch	✓		
Trustee Renk	✓		

Exhibit A – page 1

2010
8-Ball
Aztec Gold
Aztec Midnight Wind Tezcatlipoca
Back Draft
Bad 2 the Bone
Banana Cream Nuke
Bayou Blaster
Black Diamond
Black Magic Salvia
Black Mamba
Blueberry Hayze
Bombay Blue
Buzz
C3
C4 Herbal Incense
Caneff
Cherry Bomb
Chill X
Chronic Spice
Cill Out
Citrus
Colorado Chronic
DaBlock
Dark Night II
Demon
Diamond Spirit
Dragon Spice
D-Rail
Dream
Earthquake
Eruption Spice
Euphoria
EX_SES Platinum Strawberry
exSES
EX-SES Platinum
EX-SES Platinum Blueberry
EX-SES Platinum Cherry
EX-SES Platinum Strawberry
EX-SES Platinum Vanilla
Fire Bird Ultimate Strength Cinnamon
Forest Humus
Freedom
Fully Loaded
Funky Monkey
Funky Monkey XXXX
G Four
G Greenies Caramel Crunch
Genie
Gold Spirit Spice
Green Monkey Chronic Salvia
Greenies Strawberry
Heaven Improved
Heavenscent Suave
Humboldt Gold
Jamaican Gold
Jamaican Gold
K Royal
K1 Orbit
K2
K2 (unknown variety)
K2 Amazonian Shelter
K2 Amazonian Shelter
K2 Blonde
K2 Blue
K2 Blueberry
K2 Citron
K2 Cloud 9
K2 Kryptonite
K2 Latte
K2 Mellon
K2 Mint
K2 Orisha Black Magic Max
K2 Orisha Max
K2 Orisha Regular
K2 Orisha Super
K2 Orisha White Magic Super
K2 Peach
K2 Pina Colada
K2 Pineapple
K2 Pineapple Express
K2 Pink
K2 Pink Panties
K2 Sex
K2 Silver
K2 Solid Sex on the Mountain
K2 Solid Sex on the Mountain
K2 Standard
K2 Strawberry
K2 Summit
K2 Summit Coffee Wonk
K2 Thai Dream
K2 Ultra
K2 Watermelon
K3
K3 Blueberry
K3 Cosmic Blend
K3 Dusk
K3 Grape
K3 Heaven Improved
K3 Heaven Legal
K3 Kryptonite
K3 Legal
K3 Legal – Original (Black)
K3 Legal- Earth (silver)
K3 Legal- Sea (silver)
K3 Legal- Sun (Black)
K3 Mango
K3 Original
K3 Original Improved
K3 Strawberry
K3 Sun
K3 Sun Improved
K3 Sun Legal
K3 XXX
K4 Bubble Bubble
K4 Gold
K4 Purple Haze
K4 Silver
K4 Summit
K4 Summit Remix
Kind Spice
Kl Gravity
Kl Orbit

Legal Eagle
Legal Eagle Apple Pie
Love Potion 69
Love Strawberry
Magic Dragon Platinum
Magic Gold
Magic Silver
Magic Spice
Mega Bomb
Mid-Atlantic Exemplar
Mid-Atlantic Exemplar (K2 Summit)
Midnight Chill
MNGB Almond/Vanilla
MNGB Peppermint
MNGB Pinata Colada
MNGB Spear Mint
MNGB Tropical Thunder
Moe Joe Fire
Mojo
Mr. Smiley's
MTN-787
Mystery
Naughty Nights
New Improved K3
New Improved K3 Cosmic Blend
New Improved K3 Dynamite
New Improved K3 Kryptonite
New K3 Earth
New K3 Heaven
New K3 Improved
New K3 Sea Improved
New-Kron Bomb
Nitro
Ocean Blue
P O W
p.e.p. pourri Love Strawberry
p.e.p. pourri Original Spearmint
p.e.p. pourri Twisted Vanilla
p.e.p. pourri X Blueberry
Paradise
Pink Tiger
Potpourri
Potpourri Gold
Pulse
Rasta Citrus Spice
Rebel Spice
Red Bird
S1. S Werve
Samurai Spirit
Sativah
Scope Vanilla
Scope Wildberry
Sence
Shanti Spice
Shanti Spice Bluberry
Silent Black
Skunk
Smoke
Smoke Plus
Space
Spice Artic Synergy
Spice Diamond
Spice Gold
Spice Gold
Spice Silver
Spice Tropical Synergy
Spicey Regular XXX Blueberry
Spicey Regular XXX Strawberry
Spicey Ultra Strong XXX Strawberry
Spicey Ultra Strong XXX Vanilla
Spicey XXX
Spicy Ultra Strong XXX Vanilla
Spicylicious
Spike 99
Spike 99 Ultra
Spike 99 Ultra Blueberry
Spike 99 Ultra Cherry
Spike 99 Ultra Strawberry
Spike Diamond
Spike Gold
Spike Maxx
Spike Silver
Spike99
Stinger
Summer Skyy
Super Kush
Super Summit
Swagger Grape
SYN Chill
SYN Incense LemonLime
SYN Incense Smooth
SYN Incense Spearmint
SYN Lemon Lime
SYN Lemon Lime #2
SYN Smooth
SYN Spearmint
SYN Spearmint #2
SYN Suave
SYN Swagg
SYN Vanilla
SYN Vanilla #2
Texas Gold
Time Warp
Tribal Warrior
Ultra Cloud 10
Unknown cigarette
Utopia
Utopia-Blue Berry
Voo Doo Remix (black package)
Voo Doo Remix (orange package)
Voodoo Child
Voodoo Magic
Voodoo Remix
Who Dat
Who Dat Herbal Incense
Wicked X
Winter Boost
Wood Stock
XTREME Spice
Yucatan Fire
Yucatan Fire
Zombie World

HARVARD POLICE DEPARTMENT

"Winning with Teamwork"

TO: Lori Moeller

DA: January 3, 2012

FR: Dan Kazy-Garey

RE: Ordinance Meeting

CURRENT

4.08 POLICE PENSION FUND and POLICE PENSION BOARD
Pursuant to 40 ILCS 5/3-101 et seq., said provisions are hereby adopted and all applicable provisions therein (or as amended by the State Legislature in the future) are herein by reference as if fully set forth herein.

PROPOSED

4.08 POLICE PENSION FUND and POLICE PENSION BOARD
Pursuant to 40 ILCS 5/1-101 and 40 ILCS 5/3-101 et seq., said provisions are hereby adopted and all applicable provisions therein (or as amended by the State Legislature in the future) are herein by reference as if fully set forth herein.

PROPOSED

CHAPTER 21, SECTION ?

Business Permit Application (All Business Permits)

The type of ownership of the business, whether individual, partnership, corporation, or otherwise, owner to provide current articles of incorporation, DBA, ect. If a corporation: the name, corporate address, principal place of business; character of business; the names and addresses of the officers and directors; if a majority interest of stock in said corporation is owned by a person or his nominee, the name and address of such person; the name and
address of the 2 largest shareholders of each class of stock in said corporation; the name and address of the person or persons owning controlling interest in said corporation; the name and address of the manager or person(s) in daily charge and control of the business operation;

in the case of a copartnership, the persons entitled to share in the profits thereof; the name, date of birth and address of the party to be manager of the corporate facility for which the license is sought; a certified copy of the corporate charter; and a copy of by-laws, including the objects for which organized. The name, style and designation under which the business or practice is to be conducted;

The business address, telephone and fax numbers and e-mail addresses where the business is to be conducted

A complete list of the names, birth date and residence addresses of all owners, shareholders and board members of said business and the name and residence address of the manager or other person principally in charge of the operation of the business;

Current Illinois Business Tax Number

Employee Identification Number (EIN)

Photo copy of driver's license

Photo copy of any other State of Illinois License issued for said business

Citizenship of the applicant(s), respective places of birth, and if a naturalized citizen(s) of the United States, the date and place of said respective naturalization.

Length of time said applicant has been in business of that character; or if a corporation, whether the corporation is either a continuation or successor of a prior entity and if so, the character of the prior entity's business.

A statement whether applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application; a statement whether an application was filed or a similar license was issued in any other state, county or local municipality; the date of issuance, name and address of the governmental entity; the disposition of said application or license; and the reasons therefore. Whether a previous license issued by any municipality, state or subdivision thereof, or the federal government has been either revoked or suspended and the reasons therefore and date of said revocation or
suspension. This includes, but is not limited to suspension and revocation of licenses held by any individual, partner, corporation, majority of controlling shareholder or manager of the applicant seeking a license hereunder.

A statement that applicant has neither been convicted of a felony nor is disqualified to receive a license by reason of any matter or thing contained in this Chapter 21, the ordinances of this City or the laws of this State and the United States of America. A statement that applicant will not violate any laws of the State, the United States or any ordinance of the City.

In the event the premises to be licensed are leased, a copy of the lease shall be included with the application.

CURRENT
Chapter 25.13 A.1.

Violate or permit a violation of any federal law, state statute or regulation related to the control of liquor.

PROPOSED
CHAPTER 25, SECTION 25.13 A.1

Violate or permit a violation of any federal law, state statute or regulation related to the control of liquor. The local Liquor Commissioner may enter and authorizes any law enforcement officer to enter at any time upon any premises licensed hereunder to determine whether any of the provisions of this Ordinance or any rules or regulations adopted by him or by the State Commission have been or are being violated, and at such time to examine said premises of said licensee in connection therewith;

PROPOSED
CHAPTER 21,

Review each subsection of chapter 21 for penalties and coordinating Settlement of Offenses Violation, section 1.14 for each section.

Thank you,

Dan Kazy-Garey
Chief of Police