



- (4) 1-[2-(4-Morpholinyl) ethyl]-3-(1-naphthoyl) indole, its optical, positional, and geometric isomers, salts and salts of isomers--7200 (Other names: JWH-200)
- (5) 1-Pentyl-3-(1-naphthoyl) indole, its optical, positional, and geometric isomers, salts and salts of isomers--7118 (Other names: JWH- 018 and AM678)
- (6) TFMPP, a substance also known as 1-(3-[trifluoromethylphenyl]) piperazine; or
- (7) Cannabicyclohexanol, a substance also known as 2-[(1R,3S)-3-hydroxycyclohexyl]- 5-(2-methylnonan-2-yl) phenol; or
- (8) Any other synthetic marijuana or synthetic equivalents of substances contained in the plant Cannabis or in the resinous extractives of Cannabis or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity or any substance which claims such.

**Product:** Common names or marketed names of synthetic cannabinoids, including but not limited to the following names: K2, Spice, Pep, Zohai, Yucatan Fire, Genie, Acapulco Spices, Serenity Now, Spice Gold, Shokotsu, Afghan Incense, Baked, Black Magic, Buzz, Cherry Charm, Fire Bird, Fire “N” Ice, Pulse, Solitude, Voodoo, or Mr. Smiley;

**Person:** Any individual, firm, business, corporation, partnership, group, or other legal entity.

### **3. SALE OF SYNTHETIC CANNABINOIDS ILLEGAL**

- (a) It is unlawful for any person to sell, distribute, deliver, trade, barter, or give away any product or substance containing synthetic cannabinoids within Newberry County, South Carolina.
- (b) It is unlawful for any person to offer for sale, distribution, delivery, trade, or barter any product or substance containing synthetic cannabinoids within Newberry County, South Carolina.
- (c) It is unlawful for any person to advertise or display any product or substance containing synthetic cannabinoids within Newberry County, South Carolina.
- (d) It is unlawful for any person to claim or represent that a product or substance is a synthetic cannabinoid within Newberry County, South Carolina.

### **4. SALE OF IMITATION OR FAKE SYNTHETIC CANNABINOIDS ILLEGAL**

- (a) It is unlawful for any person to sell, distribute, deliver, trade, barter, or give away any product or substance that is not a synthetic cannabinoid with the expressed or implied representation that the substance is a synthetic cannabinoid within Newberry County, South Carolina. In any prosecution for said sale, distribution, delivery, trade, barter, or give away, it is not a defense that the accused believed the substance or product to actually be a synthetic cannabinoid.

(b) It is unlawful for any person to offer for sale, distribution, delivery, trade, barter, or give away any product or substance that is not a synthetic cannabinoid with the expressed or implied representation that the substance is a synthetic cannabinoid within Newberry County, South Carolina. In any prosecution for said sale, distribution, delivery, trade, barter, or give away, it is not a defense that the accused believed the substance or product to actually be a synthetic cannabinoid.

## **5. POSSESSION AND USE OF SYNTHETIC CANNABINOIDS ILLEGAL**

It is unlawful for any person to possess or use any product or substance containing synthetic cannabinoids within Newberry County, South Carolina.

## **6. CONFISCATION AND DESTRUCTION OF SYNTHETIC CANNABINOIDS**

If any product or substance containing a synthetic cannabinoid is found in the possession of any person within Newberry County, South Carolina, said product or substance shall be confiscated by law enforcement as evidence of violation of this ordinance. The confiscated product or substance shall be destroyed by law enforcement after an adjudication of guilt.

## **7. PENALTY**

A violation of this section shall be a misdemeanor punishable as provided in Section 10.99 of The Code of Ordinances for Newberry County.

## **8. IMPLEMENTATION**

This ordinance becomes effective upon passage by Newberry County Council and applies to offenses committed on or after that date.

## **9. SEVERABILITY**

If any portion of this section is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section.

## **10. PROVISIONS ARE CUMULATIVE**

Nothing in this ordinance shall be construed to abrogate or impair the powers of the Courts or of any department of Newberry County to enforce any provisions of its charter or its ordinances or regulations, or to prevent or punish violations thereof and the powers conferred by this ordinance shall be in addition and supplemental to the powers conferred by any other law.

**AND IT IS SO ORDAINED** this            day of            , 2011, by the Newberry  
County Council in meeting duly assembled at Newberry, South Carolina.

(SEAL)

**NEWBERRY COUNTY COUNCIL**

By: \_\_\_\_\_  
**Henry H. Livingston, III Chairman**

**Attest:**

\_\_\_\_\_  
**Laurie N. Renwick, Clerk to Council**

**Reviewed and approved as to form:**

**FIRST READING:** October 19, 2011

**SECOND READING:**

**THIRD READING:**

\_\_\_\_\_  
**A. J. Tothacer, Jr., County Attorney**

\_\_\_\_\_  
**Wayne Adams, County Administrator**