

31.38 POSSESSION OF SYNTHETIC CANNABINOIDS OR BATH SALTS

(Chapter 31.38 was formerly "Providing Proper Shelter to Animal"... now incorporated into 31.10 Crimes Against Animals.)

A) AUTHORITY / CONSTRUCTION:

1. This ordinance is enacted under the authority granted by Sections 59.54(6), 59.54(25g) and/or 66.0113 Wisconsin Statutes.
2. For the purposes of construction and enforcement of this ordinance, all references to the Wisconsin Statutes shall be as those statutes presently exist or as they may be hereafter revised.

B) PROHIBITIONS:

1. The possession of any controlled substance (i.e., synthetic cannabinoids) specified in Section 961.14 (4)(tb) to (ty) Wisconsin is prohibited.
2. Any act prohibited by Section 961.41(3g)(em) Wisconsin Statute (re: synthetic cannabinoids or a controlled substance analog of synthetic cannabinoids) is prohibited by this ordinance.
3. Any act prohibited by Section 961.41(3g)(d) Wisconsin Statutes (re: MDPV and mephedrone or a controlled substance analog of MDPV or mephedrone) is prohibited by this ordinance.

C) PENALTIES:

1. Violators shall:
 - a. Pay a forfeiture of not less than \$100.00 nor more than \$1,000.00.
 - b. Pay costs, fees and surcharges imposed under Chapter 814 Wisconsin Statutes.
 - c. Make restitution under Section 800.093 Wisconsin Statutes.
 - d. Make any other payment authorized by law.

D) ENFORCEMENT PROCEDURES:

1. Issuance of a citation by law enforcement officers of the county.
2. The form of the citation shall be as prescribed in Section 66.0113(1)(b) Wisconsin Statutes.
3. The alleged violator's options and procedures on default shall be as set forth in Section 66.0113(3) Wisconsin Statutes.
4. The alleged violator may elect to make a deposit, in cash, money order, or certified check of the specified amount. Deposits shall include a forfeiture, and the assessments and/or fees prescribed by Section 66.0113(1)(c), Wisconsin Statutes, in accordance with the schedule of cash deposits. Deposits shall be made, in cash, money order, or certified check, to the Clerk of Court. Receipts shall be given for deposits made.

E) NON-EXCLUSIVITY:

1. The adoption and authorization for use of a citation under this section shall not preclude the governing body from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matter.
2. The issuance of a citation under this section shall not preclude the proceeding under any other ordinance or law relating to the same or any other matter.
3. The proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this section.

This ordinance supersedes any prior ordinance or resolution pertaining to the same subject matter. Chapter 31 Door County Code shall remain unchanged and shall continue in full force and effect. This Amending Ordinance shall be in full force and effect from and after its enactment and publication. (Ord. 2012-17; 5/22/12)