

PERSONNEL COMMITTEE

13-038-O

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE DULUTH CITY CODE, 1959, AS AMENDED, AMENDING CHAPTER 28, ADDING A NEW ARTICLE VIII PROHIBITING CONSUMPTION OF PRODUCTS LABELED NOT FOR HUMAN CONSUMPTION.

BY COUNCILORS GARDNER AND KRUG:

The city of Duluth does ordain:

Section 1. That Chapter 28 of the Duluth City Code, 1959, as amended, is hereby amended by adding a new Article VIII as follows:

Article VIII. Consumption of Products Labeled Not For Human Consumption.

Sec. 28-73. Findings of fact and statement of purpose.

(a) The Duluth city council finds the following facts to exist:

(1) The consumption of products labeled not for human consumption is a public health hazard, creates public nuisances and results in an increased need for public safety services; and

(2) Health hazards associated with the consumption of these products include addiction, psychosis, strokes, anxiety, stimulation, and other physical and mental disorders; and

(3) Prohibiting the consumption of products labeled not for human consumption will provide for better public health and safety.

Sec. 28-74. Other applicable laws.

This Article is intended to complement state and federal laws regulating products labeled not for human consumption including synthetic drugs.

Sec. 28-75. Violation and definition.

(a) It is a violation of this Article for any person to intentionally consume any product labeled not for human consumption.

(b) It is a violation of this Article to intentionally aid another in violation of this Article;

(c) For the purpose of this Article, consume or consumption shall include eating, drinking, smoking, injecting, and inhalation;

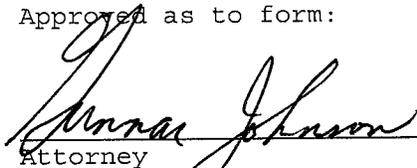
(d) It is not a violation of this Article if a person is acting under the written direction and supervision of a medical doctor.

Sec. 28-76. Severability.

If any portion of this Article, or its application to any circumstances, is held invalid, the remaining provisions shall be considered severable, and shall be given effect to the maximum extent possible.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved as to form:



Attorney

CCREQ/ATTY GBJ:cjk 5/17/2013

STATEMENT OF PURPOSE: This ordinance amends Chapter 28 of the Duluth City Code, 1959, as amended, adding a new Article VIII prohibiting the consumption of products labeled not for human consumption.