

## ORDINANCE NO. 642

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ADOPTING A NEW ARTICLE 9-08 "SALE OF PSEUDOEPHEDRINE PRODUCTS" IN CHAPTER 9 "HEALTH AND SANITATION" OF THE TOWN CODE TO, FURTHER RESTRICT ACCESS TO OVER-THE-COUNTER PRODUCTS CONTAINING PSEUDOEPHEDRINE IN ORDER TO HELP CURB THE ILLICIT MANUFACTURE OF METHAMPHETAMINE; PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES AND SUBSECTIONS OF THE TOWN CODE SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT; AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE PURSUANT TO ARS §19-142(B) AND §2-05-060 OF THE PRESCOTT VALLEY TOWN CODE.

WHEREAS, the illicit manufacture of methamphetamine (meth labs) is a serious and continuing problem in Arizona, Yavapai County, and the Town of Prescott Valley; and

WHEREAS, due to the flammable and toxic nature of the chemicals used in methamphetamine production, fires, explosions and hazardous materials contamination are common occurrences associated with meth labs; and

WHEREAS, meth labs are found in houses, apartments, hotel and motel rooms, trailers, etc. in both residential and commercial areas, exposing law enforcement personnel, other first responders, the children of the persons operating the meth labs, and other persons in physical proximity to extremely dangerous conditions; and

WHEREAS, Pseudoephedrine, Ephedrine, Norpseudoephedrine and Phenylpropanolamine are key ingredients in methamphetamine production, and are found in many over-the-counter cold and allergy medications (said medications, by purchase or theft, being the prime source of Pseudoephedrine in methamphetamine production); and

WHEREAS, recently enacted state legislation only restricts access to products containing Pseudoephedrine as the only active ingredient; and

WHEREAS, the extraction of Pseudoephedrine, Ephedrine, Norpseudoephedrine and Phenylpropanolamine is not materially different or more difficult from products containing Pseudoephedrine, Ephedrine, Norpseudoephedrine and **Phenylpropanolamine** with other active ingredients as from products containing Pseudoephedrine, Ephedrine, Norpseudoephedrine and Phenylpropanolamine as the only active ingredients; and

WHEREAS, other Arizona municipalities have determined that the restriction of open access to these products and requiring identification of buyers can substantially reduce the number of meth labs in those municipalities; and





