

ORDINANCE NO. 05-19

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ADOPTING RULES AND REGULATIONS RELATING TO THE SALE OF PRODUCTS CONTAINING EPHEDRINE OR PSEUDOEPHEDRINE WITHIN THE TOWN LIMITS.

WHEREAS, the use of pseudo-ephedrine products in a tablet form to manufacture illicit drugs is increasing, and,

WHEREAS, the flammable and toxic nature of the chemicals used in methamphetamine production can result in fires, explosions and the release of hazardous materials and contamination, and,

WHEREAS, the manufacture and sale of methamphetamine represents a significant health threat to the people of Dewey-Humboldt, and,

WHEREAS, restricting open access to these products can substantially reduce the number of methamphetamine labs in the Town;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, AS FOLLOWS:

SECTION 1. Definitions

- 1. “Pseudo-Ephedrine” – any compound, mixture or preparation that contains any detectable quantity of ephedrine or pseudo ephedrine or its salts, optical isomers or salts of optical isomers. Product packaging that lists ephedrine or pseudo ephedrine as an active ingredient shall constitute prima facie evidence that it is a product containing ephedrine or pseudo ephedrine.**
- 2. “Retail Establishment” – is any business, store or other commercial outlet that offers items for sale.**
- 3. “Enforcement Officer” – is a duly authorized sworn officer of the Yavapai County Sheriff’s Department.**

SECTION 2. Security of Pseudo-Ephedrine Products. Any Retail Establishment offering pseudo-ephedrine for sale must hold all such products in an area that is not accessible to the public.

SECTION 3. Requirement to Report Suspicious Sale. The retailer will be required to report to the Sheriff’s Department by telephone any attempt by an

individual to purchase amounts greater than what would be reasonably considered for personal use.

SECTION 3a. Requirement to Report Sales. The retailer will be required to maintain a written record of purchasers of pseudo-ephedrine products that includes the date of sale, the individual's name, address and quantity purchased. The purchaser log will be mailed to the Sheriff's Department at the end of each month. In order to purchase pseudo-ephedrine products, the purchaser must show government issued identification including, but not limited to, driver's license, passport, tribal identification card or military identification card.

SECTION 4. Penalties -- Violation of any provisions of this ordinance shall be considered a misdemeanor.

This ordinance shall be effective December 1, 2005.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Yavapai County, Arizona, this _____ day of _____, 2005.

Thomas Hintze, Mayor

ATTEST:

**Debbie Gifford, MMC
Town Clerk**

APPROVED TO FORM:

Town Attorney