

VILLAGE OF WRIGHTSTOWN

NOTICE OF PUBLIC HEARING Tuesday, November 21, 2023

Notice is hereby given, that a Public Hearing was held before the Village of Wrightstown Board of Trustees, Brown/Outagamie Counties, Wisconsin, on Tuesday, November 21, 2023, following the Committee of the Whole Meeting scheduled for 6:00 p.m. in the Village Hall Community Room, 352 High St, Wrightstown, Wisconsin, for the purpose of hearing from all persons and/or their agents on the following:

➤ **Repeal** in its entirety Chapter 139-22.1 Synthetic cannabinoid And **Recreate** Chapter 139-22.1 – Restrictions On Sale And Possession Of Hemp-Derived Cannabinoids And Synthetic Cannabinoid Prohibited

➤ **Repeal** in its entirety Chapter 139-22.1 Synthetic cannabinoid

Chapter § 139-22.1 Synthetic cannabinoid

A.— Possession, use, and sale of synthetic cannabinoid are illegal. It shall be illegal for any person to use, possess, purchase, attempt to purchase, sell, publicly display for sale or attempt to sell, give, or barter any one or more of the following chemicals whether under the common street or trade names of "Spice," "K2," "Genie," "Yucatan Fire," "fake," or "new" marijuana, or by any other name, label, or description:

(1) ~~Salvia divinorum or Salvinorin A; all parts of the plant classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any such plant, its seeds or extracts;~~

(2) ~~[(6aR, 10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-o]; some trade or other name: HU-210;~~

(3) ~~[1-pentyl-3-(1-naphthoyl)indole]; some trade or other name: JWH-018\spice;~~

(4) ~~1-butyl-3-(1-naphthoyl)indole; some trade or other names: JWH-0173;~~

(5) ~~1-(3-trifluoromethylphenyl)piperazine; some trade or other names: TFMPP;~~

(6) ~~Or any similar structural analogs.~~

B.— ~~Medical or dental use allowed. Acts otherwise prohibited under § 139-22.1 shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.~~

➤ **Recreate Chapter 139-22.1 – Restrictions On Sale And Possession Of Hemp-Derived Cannabinoids And Synthetic Cannabinoid Prohibited – to read as follows:**

Chapter § 139-22.1 Restrictions On Sale And Possession Of Hemp-Derived Cannabinoids And Synthetic Cannabinoid Prohibited.

A. *The Village adopts by reference Wis.*

State. §961.41(3g)(em) regarding synthetic cannabinoids

B. *Restrictions.*

(1) It shall be illegal for any person to use, possess, purchase, attempt to purchase, sell, publicly display for sale or attempt to sell, give, or barter any one or more of the chemicals, whether under the common street or trade names of "Spice," "K2," "Genie," Yucatan Fire," "fake" or "new" marijuana, or by any other name, label, or description, listed under 139-22.A above.

(2) It shall be illegal for a person under the age of twenty-one (21) to possess or use any amount of any hemp-derived cannabinoid including delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCv except as specifically allowed by Wisconsin law.

(3) It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCv to a person under the age of twenty-one years, except as specifically allowed by Wisconsin law.

(4) It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing delta-8 THC, delta-10 THC, HHC, HHC-O, THCA, THC-O, THCP, or THCv to a person without having first verified their age by having the purchaser present a valid photo identification.

(5) No individual may provide hemp-derived cannabinoid products to any person under the age of 21 unless the individual is the person's parent or guardian or spouse who has attained the age of 21 years.

(6) Hemp-derived cannabinoids shall not be sold within 750 feet of a hospital, church, or youth-serving organization such as, but not limited to: childcare centers, pre-schools, public or parochial schools, tribal schools, playgrounds, city or county parks, sporting arenas, or organizations with specific interest to serve children (Boys & Girls Club, YMCA, Head Start, Public Libraries, etc.) The distance shall be measured by the shortest route along a designated roadway or walking path from the main entrance of the youth-serving business/organization to the premises selling hemp-derived cannabinoid products.

a. The prohibition in this section does not apply to businesses selling hemp-derived cannabinoids prior to December 4, 2023.

(7) Signs and notices.

- a. A retailer must post a sign in areas within their premises where any hemp-derived cannabinoid is sold to consumers stating that the sale of any such to any person under the age of twenty-one (21) is unlawful under this section.
- b. A vending machine operator must attach a notice in a conspicuous place on the front of their vending machines stating that the purchase of any hemp-derived cannabinoid by any person under the age of twenty-one (21) is prohibited.

(8) Vending machines.

- a. A retailer or vending machine operator may not sell hemp-derived cannabinoid a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than twenty-one (21) years of age is present or permitted to enter unless accompanied by his or her parent or guardian.
- b. A retailer or vending machine operator may not sell hemp-derived cannabinoid from a vending machine unless the vending machine is able to first verify that the purchaser is twenty-one (21) years of age or older.

C. Medical or dental use allowed. Acts otherwise prohibited under § 139-22.1 shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.

Following the Public Hearing and while in regular session, the Village Board will take action on this request.

Dated this 17th day of November, 2023

Shelia Bowers
Clerk/Treasurer