

CITY OF EUHARLEE

AN ORDINANCE REGARDING THE SALE OF PRODUCTS USED IN THE MANUFACTURE OF METHAMPHETAMINE

WHEREAS, the use of methamphetamine, a highly addictive stimulant associated with serious health conditions such as memory loss, aggression, psychotic behavior, heart damage, brain damage, also contributes to increased transmission of hepatitis and HIV/AIDS ("NIDA Research Report - Methamphetamine Abuse and Addiction," NIDA Publication No. 02-4210, National Institutes of Health, National Institute on Drug Abuse, Printed April 1998, Reprinted January 2002);

WHEREAS, both nationally and locally, the use of methamphetamine has increased in Georgia. Admissions to publicly funded programs for methamphetamine use increased from 263 in 1999 to 953 in 2001 to 2,793 in 2003 ("Methamphetamine Fact Sheet," Georgia Department of Human Resources, April 2004; "Methamphetamine Impacts Georgia's Communities," Governor Sonny Purdue and the Georgia Council on Substance Abuse Methamphetamine and Georgia: Seeking Solutions, August 2004);

WHEREAS, the number of complaints to the Department of Children and Family Services and the need for foster homes has increased dramatically because of the rising methamphetamine incidents in homes with children;

WHEREAS, the manufacture, sale and abuse of methamphetamine are associated with many other crimes, including domestic violence, neglect, assault, homicide and weapons violations ("Methamphetamine Impacts Georgia's Communities," Governor Sonny Purdue and the Georgia Council on Substance Abuse Methamphetamine and Georgia: Seeking Solutions, August 2004);

WHEREAS, the growth of methamphetamine production has increased in Georgia. 25% of all drug related federal sentences in Georgia are methamphetamine related, compared to 15% nationwide ("Methamphetamine Impacts Georgia's Communities," Governor Sonny Purdue and the Georgia Council on Substance Abuse Methamphetamine and Georgia: Seeking Solutions, August 2004);

WHEREAS, from January to September of 2003, Georgia law enforcement officers raided 439 methamphetamine labs, as opposed to only 29 labs in 1999 ("Methamphetamine Fact Sheet," Georgia Department of Human Resources, April 2004);

WHEREAS, it is estimated that each individual producing methamphetamine will teach ten other individuals to produce the drug (Gov. Sonny Perdue Press Release, May 15, 2003);

WHEREAS, methamphetamine production creates five to seven pounds of toxic and hazardous waste for each pound of methamphetamine produced, endangering law enforcement personnel, emergency response teams, the environment and adults and children in production areas ("Methamphetamine Impacts Georgia's Communities," Governor Sonny Purdue and the Georgia Council on Substance Abuse Methamphetamine and Georgia: Seeking Solutions, August 2004);

WHEREAS, methamphetamine is produced by easily obtainable common over the counter cold medications containing ephedrine, pseudoephedrine or phenylpropanolamine;

WHEREAS, in Oklahoma, where such over the counter medications may no longer be purchased on the shelves of stores, but instead from behind the counter after the buyer shows picture identification and signs a purchase log, officials estimate that Oklahoma taxpayers saved \$434,000 in lab clean up costs in the first six months of 2004 because of the changes in regulation ("New Law Credited for 124 Fewer Meth Labs in Oklahoma," Tim Talley, Associated Press, July 13, 2004);

NOW THEREFORE, the City of Euharlee does hereby adopt this Methamphetamine Ordinance which reads as follows:

"Article I. Products Used in the Preparation of Methamphetamine

Sec. One. Definitions.

'Product used in the preparation of methamphetamine': Any compound, mixture, preparation or drug product containing any detectable quantity of ephedrine, pseudoephedrine or phenylpropanolamine, or any of their salts, isomers or salts of isomers, alone or in a mixture.

'Georgia Meth Watch'. A program sponsored by the Georgia Council on Substance Abuse. The purpose of Meth Watch is to reduce the supply of and demand for methamphetamine by establishing a partnership between retailers, law enforcement and the community.

Sec. Two. Sales Restrictions:

The City of Euharlee will enforce O.C.G.A. 16-13-30.3 as amended by HB 216 pertaining to transactions involving ephedrine, pseudoephedrine or phenylpropanolamine, or any of their salts, isomers or salts of isomers, alone or in a mixture.

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Sec. Three. Required Training for Retail Store Employees.

All employees of a retail business that are involved in the sale of products used in the production of methamphetamine shall complete the training required to be in compliance with Georgia Meth Watch, a program sponsored by the Georgia Council on Substance Abuse. The City of Euharlee Meth Watch Coordinator will be responsible for providing the information and materials required for compliance. The Goal of the Program is to reduce the supply and demand for methamphetamine and consists of the following elements: (1) Increase public awareness by placing signage (on doors, product shelves and cash registers) and information sheets to promote a website and helpline that educates the public about the dangers of meth and how to combat it. (Website: www.gameth.com and helpline 1-800-338-6745. (2) Other goals of the Program include: (2) Store employees are trained to be on the lookout for meth cooks and report suspicious activity. (3) Store clerks and other employees are trained to identify meth ingredients, signs of meth users and, suspicious activity. (4) Sales Clerks provide information to Law Enforcement for investigating potential meth labs. (5) Strategic placement of meth ingredient in stores to minimize theft.

Within 45 days after the adoption of this ordinance, The Euharlee Meth Watch

Coordinator will assess each retail business involved in the sale of products used in the production of methamphetamine based on the requirements of Meth Watch. Within 30 Days after the assessment, the Meth Watch Coordinator will provide a letter explaining the measures that must be take to achieve compliance with the Program. The retailer will have 30 days to comply.

Sec. Four. Violations and Enforcement.

Any person convicted of a violation of this ordinance shall be guilty of a misdemeanor which, upon the first conviction, shall be punished by a fine of not more than \$500.00, and, upon the second or subsequent conviction, shall be punished by a fine of not more than \$1,000.00, or both.

The provisions of this article shall be enforced by the City of Euharlee Code Enforcement Division and the City of Euharlee Police Department.

Sec. Five. Validity and Severability. Should any section, paragraph, clause, phrase or provision of this article be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the article as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

Adopted and approved by the City Council of the City of Euharlee, Georgia this the 7th day of March, 2006.

City of Euharlee

Kathy S. Foulk, Mayor

ATTEST:

Liz H. Dempsey, City Clerk