

ORDINANCE 619-18

AN ORDINANCE OF THE BOROUGH OF OCEAN GATE, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROHIBITING THE SALE OF KRATOM

WHEREAS, kratom is identified by the FDA as potential threat to public health and has the potential for abuse; and

WHEREAS, the DEA was poised to classify kratom as a Schedule 1 drug, along with heroin, LSD and marijuana, but declined classification to allow for more studies to be conducted; and

WHEREAS, kratom is marketed for its psychoactive and opioid-like analgesic effects, and for the use in the treatment of morphine and heroin addiction, however, it is not approved in the United States for medical use; and

WHEREAS, according to the FDA, “scientific literature has disclosed serious concerns regarding the toxicity of kratom in multiple organ systems, and its consumption can lead to a number of health problems including respiratory depression, nervousness, agitation, aggression, sleeplessness, hallucinations, delusions, loss of libido, tremors, skin hyperpigmentation, nausea, vomiting, constipation and severe withdrawal signs and symptoms”; and

WHEREAS, the Mayor and Council are concerned by the health problems posed by use of kratom, the potential for abuse of kratom, the use of kratom by minors and the potential severity of classification of kratom by the DEA, and therefore believe the banning of the sale of kratom within the Borough of Ocean Gate will address these concerns.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Ocean Gate, County of Ocean, and State of New Jersey, as follows:

“Kratom Sales Prohibited,” which shall read as follows:

KRATOM SALES PROHIBITED

In view of the public health concerns associated with the use of kratom, the sale of kratom within the Borough of Ocean Gate is hereby prohibited. Violation of this section shall be subject to the penalties_____. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof. This ordinance shall take effect after second reading and publication as required by law.

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced and passed on first reading of the Borough Council of Ocean Gate, in the County of Ocean, State of New Jersey, held on **September 5, 2018**, and will come on for a second reading, public hearing and final passage at a regular meeting of said Borough Council to be held on **September 19, 2018**, at Borough Council Chambers, 801 Ocean Gate Avenue, Ocean Gate, New Jersey, at 7:00 P.M., or as soon thereafter as the matter can be reached, at which last mentioned date, hour and place any person desiring to be heard either for or against the adoption of the within ordinance will be given an opportunity to be so heard.

INTRODUCED:

ADOPTED:

Ileana Vazquez-Gallipoli, R.M.C.
Municipal Clerk