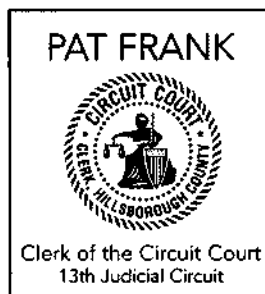


ORDINANCE

13-3



March 6, 2013

Norma J. Wise, Director
Hillsborough County Law Library
501 E. Kennedy Boulevard Ste. 100
Tampa, Florida 33602-5027

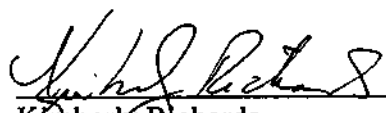
Re: Ordinance #13-3
Creating Hillsborough County Code of Ordinances and Laws Chapter 36, Article VII;
Prohibiting the Possession, Sale, Display for Sale, or Manufacture of Synthetic Drugs in
Hillsborough County

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #13-3 which was adopted by the Board of County Commissioners on February 20, 2013. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of February 22, 2013.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,



Kimberly Richards
Associate Director, BOCC Records/VAB

bam

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Debra A. Cole, Hillsborough County Sheriff's Office
Aracelis Chapman, Library Services
Jack Brooks, Director, CCC Accounting
Paul Johnston, Senior Assistant County Attorney
Shelia Alfonso, County Attorney's Office
Nancy Milam, County Attorney's Office
Sharon Sweet, BOCC Records



Agenda Item Cover Sheet

Agenda Item N^o D-5

Meeting Date February 20, 2013

- Consent Section
 Regular Section
 Public Hearing

Subject:
 Public Hearing to consider enactment of an ordinance prohibiting the possession, sale, display for sale, or manufacture of synthetic drugs in Hillsborough County.

Department Name: County Attorney's Office/County Attorney's Office

Contact Person: Paul D. Johnston Contact Phone: 272-5670

Sign-Off Approvals:

Mary Helen Farris 02/07/2013
Managing County Attorney Date

Charles Fletcher 02/07/2013
County Attorney Date

NA Date
Joint Development Director

Tom Fesler 02/08/2013
Management and Budget - Approved as to Financial Impact Accuracy Date

Paul Johnston 02/07/2013
Assistant County Attorney Date

Staff's Recommended Board Motion:

Enact the attached ordinance prohibiting the possession, sale, display for sale, or manufacture of synthetic drugs in Hillsborough County. This ordinance will assist the county and municipalities to combat the rise in the sale and use of dangerous substances commonly known as synthetic drugs.

This action will have an impact on County finances to cover the staff time, and possible laboratory costs, required in the enforcement of this ordinance.

Financial Impact Statement:

This action will have an impact on County finances to cover the staff time, and possible laboratory costs, required in the enforcement of this ordinance.

Background:

Hillsborough County Board of County Commissioners directed the County Attorney's Office to work with the City of Tampa and the Hillsborough County Sheriff's Office in drafting an ordinance prohibiting the possession, sale, or manufacture of synthetic drugs in Hillsborough County. The Board reviewed the proposed ordinance at its regular meeting of February 6, 2013, and directed staff to schedule and advertise a public hearing for consideration of its enactment.

Miller/Beckner 7to0

ORO # 13-3

List Attachments:
Proposed Ordinance.

ORDINANCE NUMBER 13-3

AN ORDINANCE CREATING HILLSBOROUGH COUNTY CODE OF ORDINANCES AND LAWS CHAPTER 36, ARTICLE VII; PROHIBITING THE POSSESSION, SALE, OR MANUFACTURE OF SYNTHETIC DRUGS; PROVIDING A STATEMENT OF INTENT; PROVIDING FOR A TITLE; PROVIDING FOR DEFINITIONS; PROVIDING FOR DETERMINATION OF A PRODUCT WHICH CONSTITUTES A SYNTHETIC DRUG; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR LABORATORY ANALYSIS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY AND APPLICABILITY; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR FILING OF THE ORDINANCE AND AN EFFECTIVE DATE; PROVIDING FOR AMENDMENT BY RESOLUTION.

WHEREAS, pursuant to Article 8 of the Florida Constitution and Section 125.66, Florida Statutes, Hillsborough County possesses the police powers to enact ordinances in order to protect the health, safety, and welfare of the County's citizens; and

WHEREAS, synthetic drugs are commonly marketed for sale to young adults and teenagers as a safe and legal alternative to marijuana or other controlled substance; and

WHEREAS, the Hillsborough County Board of County Commissioners (BOCC) has been advised by the Hillsborough County Sheriff's Office of a significant increase in the use of synthetic drugs and substances by young adults and teenagers; and

WHEREAS, synthetic cannabinoids, bath salts, and other dangerous chemicals, commonly referred to as synthetic drugs, are being added by producers and manufacturers to products in an effort to mimic the effects of illegal drugs when ingested into the human body; and

WHEREAS, due to the manner in which these substances are marketed, the manufacture or production of synthetic drugs is not regulated by the Federal Drug Administration; and

WHEREAS, due to the absence of FDA testing and regulation, the long term health effects of synthetic drug products are unknown, have not undergone human clinical testing, and their manufacturing and production process has no regulatory oversight; and

WHEREAS, synthetic drugs may be more potent and dangerous than the controlled substances they are designed to mimic due to the unapproved chemicals and chemical compounds contained in them; and

WHEREAS, ingestion of synthetic drugs has been known to produce undesired and dangerous side effects such as headaches, agitation, nausea, vomiting, hallucinations, loss of consciousness, elevated blood pressure, tremors, seizures, paranoid behavior, anxiety, increased heart rate, and even death; and

WHEREAS, according to the American Association of Poison Control Centers, exposure to, or ingestion of synthetic drugs resulted in 2,906 emergency medical calls in 2010, 6,959 calls in 2011, and 1,901 calls in the first three months of 2012 to poison control centers across the United States; and

WHEREAS, the manufacture, sale, and use of synthetic drugs has become a major problem negatively effecting the health, safety, and welfare of the citizens of Hillsborough County; and

WHEREAS, the State of Florida, in an attempt to curtail the marketing, sale, and consumption of synthetic drugs has added in Chapter 893, Florida Statutes, several dozen of the chemicals and chemical compounds used in the manufacture of synthetic drugs as controlled or prohibited substances; and

WHEREAS, the Hillsborough County Sheriff's Office has determined that the manufacturers and producers of synthetic drugs can slightly alter the molecular make up of the chemicals or chemical compounds to avoid regulation under the state statutes; and

WHEREAS, due to the ease of making slight molecular alterations of these chemicals or chemical compounds, law enforcement agencies have found it extremely difficult to bring criminal charges against the manufacturers, producers, and marketers of synthetic drug products; and

WHEREAS, undercover investigations by the Sheriff's Office into the manufacture, marketing, sale, use, and consumption of synthetic drugs have proven to be lengthy, costly, and man-power intensive; and

WHEREAS, the Hillsborough County Sheriff's Office has indicated that continued enforcement of synthetic drugs under the state statutes has been, and continues to be, hampered merely by the slight changing of the molecular make-up or recipe of the chemicals or chemical compounds used in the manufacture of synthetic drugs in order to defeat law enforcement investigations; and

WHEREAS, it is not the intent of this ordinance to interfere with legitimate actions and conduct of individuals which are protected under the constitutions and laws of the United States and the State of Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

There is hereby created Chapter 36, Article VII of the Hillsborough County Code of Ordinances and Laws, which shall be included as follows:

SECTION 1: INTENT

It is the intent of the Hillsborough County Board of County Commissioners to protect the health, safety, and welfare of its citizens by prohibiting the possession, use, sale, and manufacture of synthetic substances as defined herein which, when consumed, mimic the effects of marijuana, narcotics, or other controlled substances.

SECTION 2: TITLE

This Ordinance shall be known and may be cited as the “Synthetic Drug Ordinance”.

SECTION 3: DEFINITIONS

- A. **Synthetic Chemical or Synthetic Chemical Compound:** Refers to a chemical or chemical compound whose molecular make up is similar to those substances listed as controlled substances in Chapter 893, Florida Statutes, and whose intended primary use when introduced into the human body is to mimic the effects of a controlled substance.
- B. **Synthetic Drugs:** Means both “synthetic cannabinoids” and “bath salts” as defined in this ordinance.
- C. **Synthetic Cannabinoids:** Means any herbal or plant material which has been soaked, sprayed, or otherwise enhanced with a synthetic chemical or synthetic chemical compound that enables the herbal or plant material, or the smoke emitted from its burning, to mimic or simulate the effects of a controlled substance when inhaled, ingested, or otherwise introduced into the human body. Any herbal or plant material described above shall be considered a synthetic cannabinoid regardless of the labeling posted on the packaging for the material and regardless of whether the labeling states that its contents are “not for human consumption”, “not for smoking”, or contains some other similar statement. The fact that a herbal or plant material, packaged and advertised as a

food additive, plant food, insect repellent, potpourri, incense, etc..., has been soaked, sprayed, or otherwise enhanced with a synthetic chemical or synthetic chemical compound which has no legitimate relation to the advertised use of the product may be considered in determining whether the product is considered a synthetic cannabinoid.

This term specifically does not include any herbal or plant material containing synthetic chemicals or chemical compounds which: (1) require a prescription; (2) are approved by the United States Food and Drug Administration; and (3) are dispensed in accordance with Florida and federal law.

D. **Bath Salts:** Means any granular, powdered, stick, or block material which has been treated, or otherwise enhanced with a synthetic chemical or synthetic chemical compound that enables the material, or the smoke emitted from its burning, to mimic or simulate the effects of a narcotic or other controlled substance when inhaled, ingested, or otherwise introduced into the human body. Any material described above shall be considered a synthetic drug regardless of the labeling posted on the packaging for the material and regardless of whether the labeling states that its contents are “not for human consumption”, “not for smoking”, or contains some other similar statement. The fact that a material, packaged and advertised as a cleaning agent, food additive, therapeutic bath crystals, plant food, insect repellent potpourri, incense, etc..., has been soaked, sprayed, or otherwise enhanced with a synthetic chemical or synthetic chemical compound which has no legitimate relation to the advertised use of the product may be considered in determining whether the product is considered a synthetic drug. This term specifically does not include any material containing synthetic chemicals or chemical compounds

which: (1) require a prescription; (2) are approved by the United States Food and Drug Administration; and (3) are dispensed in accordance with Florida and federal law.

E. **Controlled substance:** Means any substance defined or listed in schedule I, II, III, or IV of section 893.03, Florida Statutes, as amended including any isomers, esters, ethers, salts, and salts of isomers, esters, and ethers of such substances.

SECTION 4: DETERMINATION OF A PRODUCT AS A SYNTHETIC DRUG

The following factors, taken in the totality of the circumstances, may be considered in determining whether a product, substance, or other material should be classified as a synthetic drug. For the purposes of enforcement pursuant to section 5 D. of this ordinance, the establishment of two or more of these factors shall constitute *prima facie* evidence that the product is a synthetic drug.

A. **Marketing:** A product routinely advertised to be a substance for which it is rarely, if ever, suitable to be used for (i.e. – incense, potpourri, food additive, therapeutic bath crystals, plant food, insect repellent, iPod cleaner, glass cleaner, etc...).

B. **Sales Location:** Products displayed and sold in businesses such as liquor stores, smoke shops, and gas/convenience stores where such advertised products are not typically sold.

C. **Labels and Packaging:**

1. Products marketed as common non-consumable products which contain warnings not normally found on such products. The warnings may be similar, but not limited to, “not for human consumption”, “not for purchase by minors”, etc..., or

2. Products containing notices on the package not normally found on similar products such as, but not limited to, “does not contain any chemical compounds prohibited by state law”, “contains no prohibited chemicals”, “product is in accordance with State and Federal

laws”, “product is in compliance with new Florida Law HB 1175”, “does not contain AM2201 or any DEA banned substance, “legal herbal substance”, 100% compliant guaranteed”, “100% chemical free”, “100% synthetic free”, etc....

3. Products whose package labeling suggests the user will achieve a “high”, euphoria, relaxation, mood enhancement, or that the product has other effects on the body.

D. Price: The price of the advertised product is much more expensive than other products marketed in the Hillsborough County area for the same or similar use.

E. Misleading Directions: The product contains directions for the product’s use, which is not consistent for the type of product advertised. (Example: “Place caplet over door to enhance mood”.)

F. Similarity to Illicit Street Drugs:

1. Products designed to make the substance appear similar to illicit street drugs (such as a white powder made to resemble cocaine, or an herbal substance dyed green to resemble marijuana); and/or

2. Products advertised using brand names and packaging designed to make the product appear similar to illicit street drugs, or labeled with names similar to commonly used street slang for illicit drugs, which names or labeling has no relation to the advertised use of the product being sold. (Common brand names currently being used include, but are not limited to, “AK-47”, “Aroma”, “Atomic”, “Aura”, “Aurora Incense”, “Barely In”, “Black Mamba”, “Black Rob”, “Bliss”, “Blizzard”, “Blue Silk”, “Bonzai Grow”, “Boombay Blue”, “Brain Storm”, “Bullet”, “Buzz”, “California Dreams”, “Charge Plus”, “Charlie”, “Chill X”, “Chronic Spice”, “Cloud 9”, “Dank”, “Daylights”, “Dead Man Walking”, “Demon”, “Diable Botanical Incense”, “Dragons Fire”, “Drone”, “D-ZL”, “Earth Impact”, “Earthquake”, “Eight Balls”, “Energy-1”,

“Euphoria”, “Fake Weed”, “Fuzzy Wuzzy”, “G-13”, “G-20”, “Galaxy Gold”, “Genie”, “Grape Ape Herbal Incense”, “Green Buddha”, “Guerrilla Warfare”, “Hayze”, “Hypnotig”, “Hurricane”, “Hurricane Charlie”, “Hush”, “Ivory Wave”, “Jazz”, “Joker”, “K-2”, “K-3”, “K-3 Legal”, “Kryptonite”, “Kush”, “Kush Mania”, “Lovely Dovey”, “Lucid”, “Lunar Wave”, “Maddie”, “Mad Hatter”, “Makes Scents”, “Man of Steel”, “Matrix”, “Maui Wowie”, “MCAT”, “MDPV”, “MDPK”, “Meow Meow”, “Meph”, “Mind Trip”, “Moon Rocks”, “Mr. Happy”, “Mr. and Mrs. Marley”, “Mr. Nice Guy”, “MTV”, “Mystery”, “Nightlights”, “Ocean”, “Ocean Blue”, “Ocean Burst”, “OMG”, “O-Zone”, “Peeve”, “Pineapple Express”, “Pixie Dust”, “Posh”, “Pot-Pourri”, “Puff”, “Pulse”, “Pure Ivory”, “Purple Haze”, “Purple Wave”, “PV”, “Red Dove”, “Scarface”, “Scooby Snax”, “Scope”, “Sence”, “Serenity”, “Skunk”, “Sky High”, “Smoke”, “Snow Leopard”, “Solar Flare”, “Soul Sence”, “Space Truckin”, “Spice”, “Spice 99”, “Spice Gold”, “Spice Silver”, “Stardust”, “Stinger”, “Sugar Sticks”, “Supper Coke”, “Three Monkey Incense”, “Tiger Shark”, “Vanilla Sky”, “Voodoo”, “Voodoo Child”, “White Dove”, “White Knight”, “White Lightening”, “Zohai”, and a group of products marketed as from “The Spice Guy”.)

G. Ingredients: A product which has been enhanced with a synthetic chemical or synthetic chemical compound that has no legitimate relation to the advertised use of the product but mimics the effects of a controlled substance when the product, or the smoke from the burned product, is introduced into the human body.

H. Verbal or Written Representations: Verbal or written representations made at the place of sale or display regarding the purpose, methods, use, or effect of the product.

SECTION 5: PROHIBITED ACTS

A. The possession, use, sale, distribution, production, or manufacture of synthetic drugs, as defined in this ordinance, is prohibited in Hillsborough County.

B. The display for sale or marketing of synthetic drugs, as defined in this ordinance, on retail store shelves is prohibited in Hillsborough County.

C. The advertisement of synthetic drugs, as defined in this ordinance, is prohibited in Hillsborough County.

D. The display for sale, marketing, advertisement, or other offer to sale of any product described in subsections "A. – H." of section 4 above is prohibited, and may be enforced administratively as a county code violation.

SECTION 6: LABORATORY ANALYSIS

Any laboratory analysis of suspected synthetic drug products shall be conducted by a state certified private laboratory, competent to provide expert testimony in a court of law as to the chemical contents of the product and to the effect such contents may have if introduced into a human body. The Hillsborough Board of County Commissioners shall provide funding for such laboratory analysis and required expert testimony. Upon the administrative determination of a violation, costs for such analysis and expert testimony shall be assessable against the person or entity charged with the violation.

SECTION 7: ENFORCEMENT AND PENALTIES

A. Primary responsibility for the enforcement of this ordinance shall be with the Hillsborough County Consumer Protection Office and the Hillsborough County Code Enforcement Office. This ordinance may be enforced administratively as a code enforcement violation pursuant to Chapter 14, Article II of the Hillsborough County Code of Ordinances and Laws, as amended. For the purposes of administrative enforcement of this ordinance, each package containing a synthetic drug, or each package containing a product prohibited in subsection "D." of section 5 above, shall be considered a separate code violation. This ordinance

is administratively enforceable against any natural person, business entity, trust, partnership, corporation, lessee, or property owner. Due to the dangerous medical and health effects the products prohibited by this ordinance can have on the user of the product, each violation shall be considered a serious threat to the public health, safety, and welfare of the citizens of Hillsborough County.

For the purposes of administrative enforcement, municipal code enforcement or code compliance officers are specifically authorized and designated to enforce this ordinance within the city limits of their jurisdiction to the extent such authorization/designation is required by law. County consumer protection or code enforcement officers may enforce this ordinance within the municipalities pursuant to a valid interlocal agreement. This ordinance shall not preempt any municipal ordinance governing the subject area herein that conflicts with, or is more stringent than, this ordinance or that prohibits a substance or product that is not prohibited by this ordinance.

A duly appointed Special Magistrate, or Code Enforcement Board of Hillsborough County, upon determining that a violation of this ordinance has occurred, shall order the violator(s) to pay a fine of five-hundred dollars (\$500) for each violation. Upon determining that a repeat violation of this ordinance has occurred within one year of a previous violation, the Special Magistrate, or Code Enforcement Board shall order the violator(s) to pay a fine of one-thousand dollars (\$1,000) for each violation. In any order finding a violation of this ordinance, the Special Magistrate, or Code Enforcement Board, shall order that, in addition to the above referenced fine, a daily fine shall be assessed for failure to comply with the order within thirty calendar days of its execution. In any order finding a violation of this ordinance, the Special Magistrate, or Code Enforcement Board, shall also order the violator(s) to pay any laboratory

analysis and expert testimony costs incurred by the County in the enforcement of this ordinance. All orders not complied with within thirty days shall be recorded in the Public Records of Hillsborough County and shall become a lien on the violator's property or any property later acquired by the violator.

B. Nothing contained herein shall prevent the County from taking such other lawful action in law and equity as may be necessary to remedy any violation of, or refusal to comply with, any part of this ordinance including but not limited to:

- (1) Pursuit of injunctive and/or declaratory relief in a court of competent jurisdiction;
- (2) Initiating an action to recover any and all damages that may result from a violation of, or a refusal to comply with, any part of this ordinance; or
- (3) Utilizing any other action or enforcement method allowable by law.

SECTION 8: CONFLICT WITH STATE LAW

Nothing in this ordinance is intended to conflict with the provisions of the Florida Constitution or any Florida Statute. In the event of a direct and express conflict between this ordinance and either the Florida Constitution or the Florida Statutes, then the provisions of the Florida Constitution or Florida Statutes, as applicable, control.

SECTION 9: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this ordinance invalid or unconstitutional.

SECTION 10: APPLICATION

This ordinance shall be applicable throughout the incorporated and unincorporated areas of Hillsborough County.

SECTION 11: INCLUSION IN THE HILLSBOROUGH COUNTY CODE

The provisions of this ordinance shall be included and incorporated in the Hillsborough County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Hillsborough County Code.

SECTION 12: FILING OF ORDINANCE AND EFFECTIVE DATE

In accordance with the provisions of §125.66, Florida Statutes, governing ordinances, a certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners. This ordinance shall take effect upon filing with the Florida Department of State.

SECTION 13: AMENDMENT BY RESOLUTION

A. Section 4 F. (2) of this ordinance concerning common brand names used to market synthetic drugs may be amended by resolution of the Board of County Commissioners.

B. The fine schedule established in section 7 B. of this ordinance may be amended by resolution of the Board of County Commissioners.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board at its regular meeting of February 20, 2013, by a vote of 7 voting yes and 0 voting no, as the same appears in record in Minute Book 441 of the Public Records of Hillsborough County, Florida

WITNESS my hand and official seal this 21st day of February, 2013.

PAT FRANK
CLERK OF THE CIRCUIT COURT

BY: Beverly Anne Miller
Deputy Clerk



Approved By County Attorney
As To Form and Legal Sufficiency:

By: Paul D. [Signature]
Sr. Assistant County Attorney



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

February 22, 2013

Honorable Pat Frank
Clerk of the Circuit Court
Hillsborough County
Post Office Box 1110
Tampa, Florida 33601-1110

RECEIVED
2013 MAR -6 AM 9:36
CLERK TO
THE BOARD (A)

Attention: Ms. Kimberly Richards, Associate Director, BOCC Records/VAB

Dear Mr. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated February 21, 2013 and certified copies of Hillsborough County Ordinance Nos. 13-2 through 13-4, which were filed in this office on February 22, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

NOTICE OF INTENT TO CONSIDER COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Board of County Commissioners of Hillsborough County, Florida, intends to consider for the purpose of enactment, the following ordinance at a meeting on February 20, 2013 at 2:00 p.m. in the Board of County Commissioners Board Room, County Center Second Floor, 601 East Kennedy Boulevard, Tampa, Florida:

AN ORDINANCE CREATING HILLSBOROUGH COUNTY CODE OF ORDINANCES AND LAWS CHAPTER/SECTION _____; PROHIBITING THE POSSESSION, SALE, OR MANUFACTURE OF SYNTHETIC DRUGS; PROVIDING A STATEMENT OF INTENT; PROVIDING FOR A TITLE; PROVIDING FOR DEFINITIONS; PROVIDING FOR DETERMINATION OF A PRODUCT WHICH CONSTITUTES A SYNTHETIC DRUG; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR LABORATORY ANALYSIS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY AND APPLICABILITY; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR FILING OF THE ORDINANCE AND AN EFFECTIVE DATE; PROVIDING FOR ANENOWMENT BY RESOLUTION.

ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING ANY MATTER CONSIDERED AT THE FORTHCOMING PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH WILL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED. ALL INTERESTED PARTIES MAY APPEAR AT THE ABOVE REFERENCED HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. A COPY OF THE PROPOSED ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT THE CLERK'S OFFICE ON THE 12TH FLOOR OF THE COUNTY CENTER AT 601 E. KENNEDY BLVD., TAMPA, FL. 33602.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS, AND ALSO THOSE SEEKING AN INTERPRETER, SHOULD CONTACT THE CITIZENS' ACTION CENTER AT TELEPHONE NUMBER (813) 272-5900 NOT LATER THAN 48 HOURS PRIOR TO THE PROCEEDINGS.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
Hillsborough County, Florida
#1129 2/8/2013

State of Florida }
County of Hillsborough } SS.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Analyst of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the matter of Legal Notices

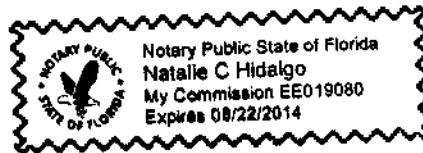
was published in said newspaper in the issues of

02/08/2013

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 8 day
of Feb., A.D. 2013

Personally Known or Produced Identification
Type of Identification Produced



CLERK TO THE BOARD (A)

2013 FEB 20 AM 11:44

RECEIVED



February 21, 2013

MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #13-3
Creating Hillsborough County Code of Ordinances and Laws Chapter 36 Article VII;
Prohibiting the Possession, Sale, Display for Sale, or Manufacture of Synthetic Drugs
in Hillsborough County

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of Hillsborough County Ordinance #13-3, adopted by the Board of County Commissioners on February 20, 2013. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,

Kimberly Richards,
Associate Director, BOCC Records/VAB

md
Attachment
Federal Express AB# 8010 1235 8175

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe



Chip Fletcher, County Attorney

Managing Attorneys

Christine M. Beck
Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

MEMORANDUM

TO: Midge Dixon, BOCC Records
FROM: Paul D. Johnston, Sr. Assistant County Attorney *PDJ*
SUBJECT: Synthetic Drug Ordinance
DATE: February 20, 2013

Enclosed please find the above-referenced Ordinances as adopted by the Board of County Commissioners on February 20, 2013.

Please provide copies of the Ordinance as appropriate and provide this office with a copy of the official acknowledgment of receipt.

If you have any questions, please contact me at (813) 272-5673.

PDJ:saa

Enclosures

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 • Tampa, Florida 33601
(813) 272-5670 • Fax: (813) 272-5231

An Affirmative Action/Equal Opportunity Employer

65074378

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe



Chip Fletcher, County Attorney

Managing Attorneys

Christine M. Beck
Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

MEMORANDUM

To: Midge Dixon, BOCC Records
From: Paul D. Johnston, Senior Assistant County Attorney
Re: Draft Ordinance - Synthetic Drugs
Date: February 8, 2013

Attached is a draft copy of the above referenced Ordinance. The Notice will be advertised in the Tampa Tribune on February 8, 2013 for the February 20, 2013, public hearing. Please make the documents available for public inspection during regular business hours.

If you have any questions, please call Shelia at 272-5670 x 30152.

Thanks for your help.

PDJ:saa

Attachments

RECEIVED
2013 FEB -9 PM 1:43
CLERK TO
THE BOARD (A)

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 • Tampa, Florida 33601
(813) 272-5670 • Fax: (813) 272-5231

An Affirmative Action/Equal Opportunity Employer