

TITLE III – PUBLIC ORDER AND SAFETY

CHAPTER 23

RESTRICTIONS FOR DISPLAY AND SALE OF PRODUCTS CONTAINING
PSEUDOEPHEDRINE

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23.01 PURPOSE. This chapter provides for the regulation of products containing pseudoephedrine. The illegal manufacture of methamphetamine continues to rise in Warren County and in Central Iowa exposing children and other innocent victims to the caustic manufacturing process. The manufacture and use of methamphetamine continues to cause an increase in crime and a strain on the resources of Warren County. Therefore, it is necessary for purposes of promoting and protecting the health, safety, and general welfare of Warren County residents to place reasonable restrictions on the sale of the main ingredient necessary to manufacture methamphetamine, multiple ingredient products containing pseudoephedrine.

23.02 CONDITIONS OF SALE. All persons and/or businesses selling, transferring or otherwise passing for consideration any substances containing a detectable amount of pseudoephedrine as part of a multiple ingredient formula, shall display those products behind a store counter, in an area not accessible to customers, or shall display those products in a locked case so that customers wanting access to the products must ask a store employee for assistance.

23.03 IDENTIFICATION OF PURCHASER/LIMITATIONS ON PURCHASE QUANTITY. All persons seeking to purchase multiple ingredient products containing pseudoephedrine shall be required by the seller to provide their name, address, telephone number and to produce photo identification, and signature of the purchaser. Such information shall be kept by the seller for a period of one year in a log that shall be accessible to any law enforcement officer upon request. A copy of the required form is attached hereto as Appendix A. A maximum of two (2) pre-packaged units but not more than ninety-six (96) pills, tablets, capsules or other form of individual dosage units may be purchased during a calendar day per customer.

23.04 VIOLATIONS. Any person and/or business violating this ordinance shall be guilty of a simple misdemeanor punishable by a fine of up to \$500.00 and/or thirty (30) days in jail per occurrence.

23.05 SEVERABILITY. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this ordinance or the ordinance as a whole.

23.06 EFFECTIVE DATE. This Ordinance shall be in effect thirty (30) calendar days from and after publication as required by law.