

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 5 OF THE PERRYVILLE MUNICIPAL CODE BY ADDING CHAPTER 5.13 TO BE ENTITLED “HEMP DERIVED INTOXICANTS AND KRATOM”, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City of Perryville Missouri recognizes that hemp-derived products which contain intoxicating cannabinoids are not regulated in the manner that medical and adult use marijuana products are regulated in the state of Missouri, and are not subject to testing, minimum age to purchase; and

WHEREAS, Kratom products are not regulated by any entity; and

WHEREAS, many Intoxicating Hemp-Derived products and Kratom are being marketed without respect to the consumer’s age; and

WHEREAS, Intoxicating Hemp-Derived products and Kratom Products pose a threat to the health and safety of minors, and

WHEREAS the City of Perryville, Missouri finds it necessary to enact regulations related to the sale of Intoxicating Hemp-Derived Products and Kratom Products to protect the general public health, safety, and welfare, and specifically to protect those under the age of twenty-one (21) for the adverse effects associated with the consumption of such products.

NOW, THEREFORE, be it ordained by the Mayor and Board Of Aldermen of the City Of Perryville, Missouri, as follows:

Section 1. That Title 5 of the Perryville Municipal Code, is hereby amended by adding the following chapter:

“Chapter 5.13-HEMP DERIVED INTOXICANTS AND KRATOM.

5.13.010 - Definitions.

As used in this Chapter, the terms below are defined as follows:

“CBD” means Cannabidiol, a non-intoxicating cannabinoid found in cannabis and hemp.

“Cannabinoids” means Ligands that are either plant-derived, synthetic, or semi-synthetic, and have an affinity for and activity at cannabinoid receptors.

“Hemp” means The plant *Cannabis sativa* L., and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths percent (0.3%) on a dry weight basis.

“Hemp-Derived Intoxicants” means Any intoxicating Cannabinoids which have been derived, developed, processed, manipulated, converted, isomerized, and/or otherwise created from hemp.

“Intoxicating Cannabinoids” means Any cannabinoid, however derived or created, that has an intoxicating effect when consumed or otherwise ingested, irrespective of whether the cannabinoid was created or developed through natural means or through chemical conversion, isomerization, synthetic derivation, heat, or any other process by which molecules may be manipulated or any cannabinoid, semi-synthetic or synthetic cannabinoid, or precursor to an intoxicating cannabinoid that may become intoxicating when heated, decarboxylated, or otherwise manipulated, excluding, without limitation, CBD.

“Intoxicating Hemp-Derived Products” means Any product which contains hemp derived intoxicants, excluding, without limitation, CBD.

“Kratom Products” means any product containing any part of the leaf of the plant *Mitragyna Speciosa*. There shall be a rebuttable presumption that a sealed container or product labeled as containing Kratom, *Mitragyna Speciosa*, Mitragynine, and/or 7-hydroxymitragynine is a Kratom Product.

“Minor” means any person under the age of twenty-one (21) years.

5.13.020 - Providing Hemp Derived Products or Kratom Products to Minors.

- A. No person shall procure for, sell, vend, give away, or otherwise supply any Intoxicating Hemp-Derived Products, or Kratom Products in any quantity whatsoever to any Minor.
- B. No Minor shall purchase, attempt to purchase, or possess any Intoxicating Hemp-Derived Product or Kratom Product.
- C. No Minor shall represent, for the purpose of purchasing, asking for, or in any way receiving any Intoxicating Hemp-Derived Products or Kratom Products that they have attained the age of twenty-one (years) unless they have actually attained such age.
- D. No Minor shall use a reproduced, modified, or altered chauffer’s license, motor vehicle operator’s license, identification card issued by any federal, state, or local government, or passport for the purpose of purchasing, asking for, or in any way receiving Intoxicating Hemp-Derived Products or Kratom Products.

5.13.030 – Display for Sale of Intoxicating Hemp-Derived Products and Kratom Products.

Intoxicating-Hemp Derived Products and Kratom Products may only be displayed for sale in such a manner that a person cannot have possession of the product prior to the sale of the product.

5.13.040 - Violation and Penalty.

- A. Punishment for violation of this chapter shall be as set forth in Section 1.16.010 of this Code and Section 5.04.110 of this Code.
- B. The City, in its sole discretion, may revoke the business license of any person, entity or agent, who has violated this Chapter on more than one occasion.
- C. The City may seek an injunction preventing a person, entity, or agent, whether a government official or private party who has violated this Chapter on more than one occasion from operating within the city limits of Perryville, Missouri, and the City's reasonable attorney fees in obtaining such an injunction.
- D. The penalties herein may be cumulative and are not exclusive of each other."

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any 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.

Section 4. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: _____.

SECOND READING: _____.

PASSED AND APPROVED this ____ day of _____, 2026, by a vote of
____ ayes, ____ nays, ____ abstentions and ____ absent.

CITY OF PERRYVILLE, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk