

Ordinance No. 2026- §

AN ORDINANCE AMENDING TITLE 5 OF THE CITY CODE

***BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
VIRDEN, COUNTY OF MACOUPIN, ILLINOIS, AS FOLLOWS:***

SECTION 1. The Mayor and City Council of Virden, having considered adopting ordinances relating to various Public Safety, hereby amends Title 5 to include the following Chapter 10:

Chapter 10 MDPV AND KRATOM PROHIBITED.

5-10-1 Purposes. This Section is enacted to protect, preserve and promote the health, safety and welfare of the citizens of the City by prohibiting the use, possession, distribution or delivery of any substance containing MDPV or Kratom as hereinafter defined, it being the specific finding of the City that such substances have a dangerous effect upon anyone using and/or ingesting said substances and have no medicinal or beneficial purposes.

5-10-2 Definitions. When used in this Chapter, the following words have the meanings as hereinafter provided:

(1) **Use.** The partaking, inhaling, smoking, consumption, ingestion or injection of MDPV or Kratom.

(2) **Deliver.** The actual, constructive, or attempted transfer from one person to another of MDPV or Kratom, whether or not there is an agency relationship, and includes a sale.

(3) **Distribute.** To deliver other than by administering or dispensing MDPV or Kratom.

(4) **MDPV.** Includes any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers of 3,4-Methylenedioxypseudoephedrine, Mephedrone, 4-methoxymethcathinone, 4-Fluoromethcathinone, and 3-Fluoromethcathinone.

(5) **Kratom.** Includes any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: the leaves, bark, or other parts of a tropical

tree known as "Mitragyna speciose" containing psychoactive opioid compounds, and sometimes known as: Herbal Speedball, Biak-Biak, Ketum, Kahuam, Ithang and Thom.

(6) Possess means with the knowledge of the presence and nature of a substance. A person has actual possession if he has the substance on his person or within easy reach and convenient control. A person who, although not in actual possession, has the power and intention at a given time to exercise dominion or control over the substance either directly or through another person or persons is in constructive possession of it.

(5-10-3) General Prohibition. It shall be unlawful for any person to use, possess, distribute or delivery any substance containing MDPV or Kratom as defined in this Chapter.

(See 65 ILCS 5/11-1-1)

SECTION 2. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

This Ordinance shall be effective upon its passage, approval and publication as provided by law. The Clerk shall forthwith publish this Ordinance in pamphlet form.

PASSED this 8TH day of SEPTEMBER, 2026


MAYOR

ATTEST:


Clerk

AYES:

BERTOLINO, BOSTER, NEIGHBORS, CARTER, AND MATRISCH

NAYS:

NONE

PASSED:

YES

APPROVED:

YES

ABSENT:

DONLEY, AND HARRISCH

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF MACOUPIN)

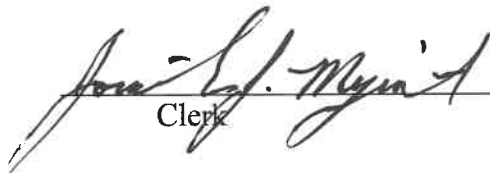
I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the City of Virden, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 2026-8 adopted by the City Council of said City on the 8th day of SEPTEMBER, 2026, said Ordinance being entitled:

AN ORDINANCE AMENDING TITLE 5 OF THE CITY CODE

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said City, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 8th day of SEPTEMBER, 2026.


Clerk