

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE NO. 2019-12

**AN ORDINANCE TO AMEND THE BOROUGH CODE CHAPTER 303,
TO PROHIBIT THE SALE OF KRATOM**

WHEREAS, the Food and Drug Administration (“FDA”) has identified Kratom as a potential threat to public health and has the potential for abuse; and

WHEREAS, the Drug Enforcement Agency (“DEA”) has sought to classify Kratom as a Schedule 1 Drug, along with Heroin, LSD and Marijuana, subject to further studies; 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, but 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 the 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 Bradley Beach will address these concerns.

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

- A. The Borough Code of the Borough of Bradley Beach, Chapter 303 is hereby amended so as to create § 303-10, titled “Kratom Sales Prohibited,” which shall read as follows:

KRATOM SALES PROHIBITED. In view of public health concerns associated with the use of Kratom, the sale of Kratom within the Borough of Bradley Beach is hereby prohibited. Violation of this Section shall be subject to penalties set forth in Chapter 1, Article II.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, this Ordinance shall take effect twenty (20) days after

passage by the Mayor and Council and publication according to law.

SO ORDAINED as aforesaid.

KELLY BARRETT
Municipal Clerk

GARY ENGELSTAD
Mayor

Introduced:

Date of Hearing and Adoption: