

AN ORDINANCE REGULATING AND PROHIBITING THE SALE, OFFER OF SALE, DELIVERY OR GIFT, FOR CERTAIN PURPOSES, OF MODEL GLUE OR ANY SIMILAR SUBSTANCE CONTAINING ANY ONE OR MORE OF ANY VOLATILE SOLVENTS: DEFINING CERTAIN WORDS: MAKING IT UNLAWFUL TO INHALE THE FUMES OF ANY MODEL GLUE TO INDUCE OR AID OTHERS TO VIOLATE ANY OF THE PROVISIONS OF THIS ORDINANCE: MAKING POSSESSION OF CERTAIN GLUES UNLAWFUL.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, as follows:

SECTION 1: Model Glue Defined. The definition of "model glue" as used in this ordinance shall mean any glue or cement of the type commonly used in the building of model airplanes, boats and automobiles, or any similar substance which contains one or more of the following volatile solvents:

(a) Acetone. (b) Amylacetate. (c) Benzol or benzene. (d) Butyl acetate. (e) Butyl alcohol. (f) Carbon tetrachloride. (g) Chloroform. (h) Cyclohexanone. (i) Ethanol or ethyl alcohol. (j) Ethyl acetate. (k) Hexane. (l) Isopropanol or isopropyl alcohol. (m) Isopropyl acetate. (n) Methyl "Cellosolve" acetate. (o) Methyl ethyl ketone. (p) Methyl Isobutyl ketone. (q) Toluol or toluene. (r) Trichloroethylene. (s) Tricresyl Phosphate. (t) Xylol or Xylene, or any other solvent, material, substance, Chemical, or combination thereof, having the property of releasing toxic vapors.

SECTION 2: Unlawful to smell or inhale model glue. It shall be unlawful for any person to intentionally smell or inhale the fumes of any type of "model glue", or to induce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction or dulling of the senses of nervous system, or for the purpose of, in any manner, changing, distorting or disturbing the audio, visual or mental processes; provided, however, that the section shall not apply to the inhalation of any anesthesia for medical or dental purposes.

SECTION 3: Unlawful to possess model glue for certain purposes. It shall be unlawful for any person to intentionally possess any type of "model glue" for the purpose of using the same in the manner prohibited by Section 2 hereof.

SECTION 4: Unlawful to possess, buy, sell, or transfer model glue for certain purposes. It shall be unlawful for any person to intentionally possess, buy, sell, or otherwise transfer any type of "model glue" for the purpose of inducing or aiding any other person to violate the provisions of Section 2 and 3 hereof.

SECTION 5: Unlawful to sell or transfer model glue to minors.

(a) It shall be unlawful for any person to knowingly and intentionally sell or otherwise transfer possession of any type of "model glue" to any minor under the age of seventeen (17) for any purpose whatsoever, unless at the time of the sale or transfer of possession said minor be accompanied by his parent or guardian, as the case may be, and the written consent to such sale or transfer of said minor's parent or guardian be signed by said parent or guardian in the presence of the person making the sale or transfer.

(b) In such cases, the seller or transferrer shall make a written record of such transaction, showing the name, address, sex and age of the minor, as well as the name and address of the consenting parent or guardian, which said record must be kept available for inspection by the Department of Police for a period of at least one year from date of transfer; provided that such records need not be kept if the seller or transferrer retains the consent letters where such letters contain all of the required information, as herein set forth.

(c) It shall be unlawful to furnish any such consent letter which purports to be signed by a parent or guardian, which consent letter, or the signature signed thereto, is false in any respect.

SECTION 6: Unlawful to sell model glue to persons not bona fide dealers; records required; false written consent. It shall be unlawful for any wholesaler of merchandise to sell or transfer any quantity of "model glue" to any person whatsoever, who is not, or does not represent, a recognized bona fide retail dealer in merchandise customarily handling such product in the ordinary course of his or its business at a fixed location. If any such prohibited sale is made by any wholesaler, it shall constitute prima facie evidence of an intent to violate the provisions of Sections 2 and 3 hereof.

SECTION 7: Unlawful for persons not bona fide dealers to sell model glue.

(a) It shall be unlawful for any person, firm or corporation to engage in the retail sale of "model glue" unless such person, firm or corporation is a recognized bona fide retail dealer (at a fixed location) in merchandise, customarily handling such product in the ordinary course of his or its business.

(b) It shall be unlawful for any bona fide recognized retail dealer, as defined in the first paragraph of this Section, to sell more than one tube, or other minimum sized container, of "model glue" to any one customer within any 24 hour period; provided, that the provisions of this second paragraph do not apply to the sale of "model glue"