



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: APRIL 7, 2026
FROM: POLICE DEPARTMENT WARDS: ALL
SUBJECT: ORDINANCE AMENDING TITLE 6 AND TITLE 9 OF RIVERSIDE MUNICIPAL CODE BY AMENDING SECTION 6.24.080 REGARDING OTHER REQUIREMENTS AND PROHIBITIONS AND ADDING SECTION 9.04.235 PROHIBITING THE SALE AND DISTRIBUTION OF KRATOM PRODUCTS

ISSUE:

Introduce and subsequently adopt an ordinance amending Title 6 and Title 9 of the Riverside Municipal Code by amending Section 6.24.080 regarding other requirements and prohibitions and adding section 9.04.235 regarding prohibiting the sale and distribution of kratom products within the City of Riverside.

RECOMMENDATION:

That the City Council introduce and subsequently adopt an ordinance amending Title 6 and Title 9 of the Riverside Municipal Code by amending Section 6.24.080 regarding other requirements and prohibitions and adding section 9.04.235 regarding prohibiting the sale and distribution of kratom products within the City of Riverside.

COMMITTEE RECOMMENDATIONS:

On February 18, 2026, the Safety, Wellness, and Youth Committee with Chair Perry, Vice Chair Condor and Member Mill present, considered an ordinance to either regulate or prohibit the sale and distribution of kratom products. Following discussion, it was moved by Member Mill and seconded by Vice Chair Conder to prohibit the sale and distribution of kratom products entirely and forward the recommendation to the City Council for final consideration. The motion carried unanimously.

BACKGROUND:

The Riverside Police Department (RPD) is the local agency responsible for conducting regulatory compliance enforcement at tobacco retail establishments, including Smoke Shops, gas stations, grocery stores, and minimarts in the City of Riverside. The RPD Vice Unit is

charged with investigation and enforcement and consists of a Sergeant, 6 Detectives and a Community Service Officer.

The Vice Unit is also responsible for regulation of massage parlors, firearms dealers, pawnshops, secondhand dealers, fortune tellers, driver services, entertainment services, adult entertainment establishments and cannabis sales, along with alcoholic beverage enforcement (ABC) and investigations of illegal gambling, prostitution, and human trafficking.

There are currently 215 known locations (grocery stores, mini marts, gas stations) selling tobacco in the City of Riverside with 28 of those classified as Smoke Shops. Between March 2025 to January 2026, the Vice Unit has observed most gas stations, mini marts and smoke shops selling kratom and synthetic based kratom products that exceed 2% of 7-OH in concentration.

According to the Drug Enforcement Administration (DEA), Kratom (*mitragyna speciosa*) is a tropical tree native to Southeast Asia. Consumption of kratom leaves produces both stimulant effects (in low doses) and sedative effects (in high doses) and can lead to psychotic symptoms and psychological and physiological dependence. Kratom is most often used by oral ingestion in the form of a tablet, capsule or extract. The psychoactive ingredient in kratom is the alkaloid 7-hydroxymitragynine (7-OH), which naturally occurs in a concentration of about 2% of the total alkaloids in the plant. Kratom vendors have developed methods to increase/synthesize the concentration of 7-OH above 2% in many kratom products, leading to their harmful effects and the nickname "gas station heroin." Per the California Department of Public Health (CDPH), these products are extremely dangerous and may lead to addiction, serious harm, overdose, and death.

Concentrated kratom products are sold in gas stations, smoke shops, and other retail and online venues. They come in various forms such as tablets, gummies, drink mixes, and concentrated liquid extracts or shots for drinking. The Los Angeles County Department of Public Health has connected this synthetic kratom to multiple fatal overdoses in 2025.

In July of 2025, the U.S. Food & Drug Administration requested the DEA formally review kratom derivatives and consider placing them on the federal list of controlled substances. The DEA is still in the review process.

The state of California sought to regulate kratom and kratom products in 2025 by means of Assembly Bill 1088. However, despite unanimous support from the Assembly, AB 1088 was referred to the state Senate Committee on Health and failed to become law. According to the Riverside County Executive Office, the failure of AB 1088 motivated the Board of Supervisors to adopt Riverside County Ordinance 1004.

Riverside County (2025), La Quinta (2026), Anaheim (2026), Huntington Beach (2025), Laguna Niguel (2025) and Buena Park (2026) adopted ordinances prohibiting the sale and distribution of kratom products exceeding 2% 7-OH concentration.

Newport Beach (2024), Oceanside (2016), City of San Diego (2016) and Stanton (2025), passed ordinances prohibiting the sale of kratom entirely.

On January 16, 2026, Alcoholic Beverage Control (ABC) launched a compliance effort to ensure its licensees do not have kratom products on their shelves. Following guidance issued by the California Department of Health (CDPH) and coupled with an extensive campaign to educate licensees, ABC will take strong enforcement action against businesses that continue to sell kratom products. Licensees must cease sales of these products immediately and those in violation will

be subject to administrative disciplinary action that may result in the suspension or revocation of their ABC license.

DISCUSSION:

Kratom products are sold in gas stations, minimarts, and smoke shops throughout the City. To address the public health risks posed by these unregulated products, the proposed ordinance was drafted for City Council Consideration.

PROPOSED ORDINANCE:

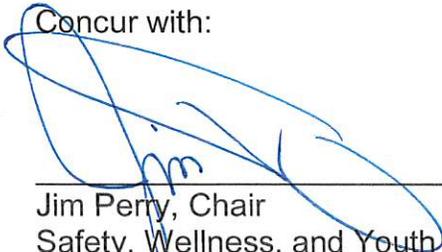
The proposed ordinance would prohibit an individual, business, or other entity from selling, attempting to sell, offer, provide, or distribute a kratom product or 7-OH product to any person except as otherwise authorized by law.

Any person who violates this Riverside Municipal Code chapter is guilty of a misdemeanor and upon conviction thereof may be punished by a fine of not more than one thousand dollars or by imprisonment in the County Jail for a period of not more than six months or by both such fine and imprisonment. Each day any violation of any said provision of this chapter shall continue shall constitute a separate offense.

FISCAL IMPACT:

There is no fiscal impact associated with the proposed Ordinance.

Concur with:



Jim Perry, Chair
Safety, Wellness, and Youth Committee

Prepared by: Charles Payne, Deputy Chief
Approved by: Larry V. Gonzalez, Chief of Police
Certified as to
availability of funds: Julie Nemes, Interim Finance Director
Approved by: Mike Futrell, City Manager
Approved as to form: Rebecca McKee-Reimbold, Interim City Attorney

Attachments:

1. Ordinance – Redline
2. California Department of Public Health Kratom Warning
3. Department of Alcohol Beverage Control Compliance Education Notification
4. Department of Alcohol Beverage Control Kratom Warning