


# City of Detroit

## CITY COUNCIL

RAQUEL CASTAÑEDA-LÓPEZ  
COUNCIL MEMBER  
DISTRICT 6

### MEMORANDUM

**TO:** Lawrence Garcia, Corporation Counsel  
**THRU:** Council President Brenda Jones  
**FROM:** Council Member Raquel Castañeda-López   
**DATE:** March 7, 2021  
**RE:** City of Detroit ability to regulate “whippets”

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Detroit residents have voiced concerns to my office for years regarding the sale of whippets and similar harmful inhalants in our neighborhoods. Although there are state laws that regulate the sale, distribution, and use of nitrous oxide (*see MCL 752.272a*), it appears there are still significant gaps in regulation.

Please provide an opinion that gives an overview of the current state law regulating whippets and whether the City has the ability to enact any of the following regulations:

- Complete ban on the retail sale of nitrous oxide, regardless of intended use (with limited exceptions). *See e.g. the ordinance in Rialto, CA.*
- Limited prohibition on the sale of nitrous-oxide containing products near sensitive uses such as schools and daycares, or at marijuana/tobacco/alcohol related facilities
- Regulations on the safe stocking, storing and disposal of the nitrous oxide by businesses that stock these products.

Please do not hesitate to contact my office with any questions. Thank you.

Cc: Honorable Detroit City Council  
Avery Peebles, Mayor’s Liaison  
City Clerk