

**ORDINANCE NO. 2023-08-03
CITY OF ST. MARY'S POINT
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE OF THE CITY OF ST. MARY'S POINT, WASHINGTON COUNTY,
MINNESOTA, AMENDING SECTION 1503 NUISANCES TO THE CODE OF ORDINANCES
PROHIBITING PUBLIC USE OF CANNABIS FLOWER, CANNABIS PRODUCTS, LOWER-
POTENCY HEMP EDIBLES, OR HEMP-DERIVED CONSUMER PRODUCTS IN A PUBLIC
PLACE.**

WHEREAS, the State of Minnesota passed the new Regulation of Adult Use Cannabis Law, Chapter 63 of Minnesota Session Law – 2023, Regular Session (Statutes Chapter 342), much of which became effective as of August 1, 2023;

WHEREAS, Minnesota Statute § 152.0263 Subd. 5 provides local units of governments the authority to adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place; and

WHEREAS, the City of St. Mary's Point desires to prohibit the use of such products in public places, including, but not limited to, beaches and parks, within the City.

NOW, THEREFORE, the City Council of the City of St. Mary's Point hereby ordains that the following sections of the City Code are hereby amended by adding the following to Section 1503.030 Public Nuisances Affecting Morals and Decency:

G. Illegal Cannabis Use.
(1) Definitions.

Public Place. The term "public place" shall include any and every place in the City excluding the following:

- A private residence, including a person's curtilage or yard;
 - Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products on the property by the owner of the property; or
 - The premises of an establishment or event licensed to permit on-site consumption.
- (2) Prohibited Activity. No person shall engage in the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place within the City.
- (3) Penalty. Any person who engages in the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place within the City is guilty of a petty misdemeanor.

EFFECTIVE DATE. This Ordinance shall be in effect from and after its passage and approval by the affirmative vote of a majority of the City Council and publication as required by law.

Passed and adopted by the City Council of the City of St. Mary's Point, Washington County, Minnesota this 1st day of August, 2023.

CITY OF ST. MARY'S POINT

By _____
Jay Roettger, Mayor

Attest:


Cindie Reiter
City Clerk

