

**CITY OF MAHTOMEDI, WASHINGTON COUNTY, MINNESOTA
ORDINANCE NO. 2023-03**

**AN ORDINANCE AMENDING CITY CODE, SECTION 9, ADDING SECTION 9.07
PROHIBITING CANNABIS, TOBACCO, AND NICOTINE USE WITHIN CERTAIN
PUBLIC PLACES**

**THE CITY COUNCIL OF THE CITY OF MAHTOMEDI HEREBY ORDAINS AS
FOLLOWS:**

Section One. Amendment. Section 9 of the Mahtomedi City Code is hereby amended by adding Section 9.07 as follows:

**9.07 CANNABIS, TOBACCO, AND NICOTINE USE IN CERTAIN PUBLIC PLACES
PROHIBITED.**

1. Definitions. For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC PLACE. Property owned, leased, or controlled by the City of Mahtomedi. Public Places include but are not limited to: City buildings and all the land thereon, parking lots, parks, beaches, pathways and trails, and city rights-of-way consisting of both the traveled portion and the abutting boulevard, sidewalks and trails, and any City personal property, such as motor vehicles, city equipment, and the like. Public Place does not include: (1) a private residence, including the person’s curtilage or yard; (2) private property not generally accessible to 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 (3) the premises of an establishment or event licensed to permit on-site consumption.

CANNABIS FLOWER, CANNABIS PRODUCT, LOWER-POTENCY HEMP EDIBLES, and HEMP-DERIVED CONSUMER PRODUCTS shall have the meanings as defined in Minn. Stat. §342.01 (enacted under Minnesota Laws 2023).

TOBACCO PRODUCTS and NICOTINE SOLUTION PRODUCTS shall have the meanings as defined in Minn. Stat. § 297F.01.

2. Prohibition. No person shall smoke, vape, consume, or otherwise use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place. No person shall smoke or vape any tobacco products or nicotine solution products in a public place.
3. Penalty. A violation of this section is a petty misdemeanor.

Section 2. Effective Date. This ordinance shall take effect upon its passage and the

publication as provided by law.

Passed in regular session of the City Council of the City of Mahtomedi on the 2nd day of August, 2023.

CITY OF MAHTOMEDI

By _____
Richard Brainerd
Its: Mayor

Attest:

By: Jerene Rogers
Its: City Clerk

(Published in the *White Bear Press* on August 9, 2023)