

ORDINANCE NO. 2023-06

**AN ORDINANCE OF THE CITY OF SCANDIA, WASHINGTON COUNTY, MINNESOTA
REGULATING THE SMOKING AND DRINKING OF CANNABIS FLOWER, CANNABIS
PRODUCTS, OR HEMP-DERIVED CONSUMER PRODUCTS IN PUBLIC PLACES.**

THE CITY COUNCIL OF THE CITY OF SCANDIA DOES HEREBY ORDAIN:

That TITLE XII, Use of Cannabis Flower, Cannabis Products, or Hemp-Derived Consumer Products in Public Places is hereby added to the City of Scandia, Minnesota Code of Ordinance.

TITLE XII, Use of Cannabis Flower, Cannabis Products, or Hemp-Derived Consumer Products in Public Places

Section 120.01. Definitions.

Public Place. Any place excluding the following:

- (a) A private residence, including a person's curtilage or yard;
- (b) Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, or hemp-derived consumer products on the property by the owner of the property; or
- (c) The premises of an establishment or event licensed to permit on-site consumption or use.

Section 120.03. Prohibited Activity.

(A) The unlawful consumption of beverages containing or classified as cannabis flower, cannabis products, or hemp-derived as defined in M.S.A. § 342.101, is prohibited in all public places, including public streets, sidewalks, and parking areas, except in a place where such is sold or served under the authority of a license lawfully issued or except in a designated picnic area within a public park. Glass containers are not allowed in a public park.

(B) The unlawful smoking of cannabis flower, cannabis products, or hemp-derived consumer products is prohibited in public places. Smoking is inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device, as defined in Minn. Stat. §609.685.

Section 120.04. Violation.

Any person engages in the above noted prohibited activity in a Public Place is guilty of a petty misdemeanor.

Effective Date.


This ordinance shall take effect from and after its passage and publication as required by law.

Passed and adopted by the City Council of the City of Scandia, Washington County, Minnesota, this 2nd day of August, 2023.

ATTEST:



Kyle Morell, City Administrator



Christine Maefsky, Mayor