

ORDINANCE NO. 23-09-2068

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF WHITE BEAR LAKE
TO PROHIBIT THE USE OF CANNABIS PRODUCTS IN PUBLIC PLACES**

The Council of the City of White Bear Lake does ordain:

ARTICLE I. Public Use Prohibition. Article VII, Chapter 703 of the Municipal Code of the City of White Bear Lake is hereby amended by adding a new Section 703.160 as follows:

§703.160 MISCELLANEOUS OFFENSES: USE OF CANNABIS PRODUCTS IN PUBLIC PLACES.

Subd. 1. Definitions. For the purposes of this section, the following terms shall have the meanings given them in this subdivision.

- A. Cannabis Product. "Cannabis product" means any of the following: cannabis flower; cannabis products; lower-potency hemp edibles; or hemp-derived consumer products, as each are defined in Minnesota Statutes, section 342.01.
- B. Park. "Park" means any public park, playground, sports field, open space, swimming pool, community center, or other recreational area or facility, including the grounds of any such facility.
- C. Parking Lot. "Parking lot" means any state, county, or city owned parking area that is made available to the public for parking.
- D. Public Place. "Public place" means any park, right-of-way, or parking lot. The term does not include any of the following: a private residence, including the 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.
- E. Right-of-Way. "Right-of-way" means the entire area within a public roadway, highway, street, alley, cartway, bicycle lane, trail, or public sidewalk.

Subd. 2. Prohibition. It is unlawful for a person to use a cannabis product in a public place within the city.

Subd. 3. Enforcement. A violation of this section is a petty misdemeanor. A violation of this section is also an administrative offense and is subject to an administrative penalty as provided in Chapter 205 of this Code.

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ARTICLE II. Effective Date. This ordinance shall become effective on the first day of publication after adoption.

The foregoing ordinance, offered by Councilmember Jones and supported by Councilmember Walsh, was adopted on the following vote:

Ayes: Edberg, Engstran, Hughes, Jones, Walsh
Nays: None
Passed: September 12, 2023



Dan Louismet, Mayor

ATTEST:



Caley Longendyke, City Clerk

First Reading: August 22, 2023
Second Reading: September 12, 2023
Publication: September 20, 2023
Posted on web: September 13, 2023