

City of Pillager

306 Elm Avenue West

Pillager, MN 56473

Phone: 218-746-3322 Fax: 218-746-3573

e-mail: clerk@cityofpillager.com

Ordinance No. 90

Prohibiting the Use of Cannabis in Public Places

WHEREAS, on May 30, 2023, Governor Tim Walz signed into law House File 100 relating to the possession, sale, and adult use of cannabis; and

WHEREAS, House File 100 authorizes local units of government to adopt ordinances 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 certain public places; and

WHEREAS, the City of Pillager, Minnesota, is a local unit of government that is committed to providing safe and healthy environments; and

WHEREAS, as part of that commitment, the City has determined that the use of combustible cannabinoids in its parks and other public places is detrimental to the health and safety of its community and has, therefore, prohibited the use of such products in and on City-controlled parks; and

WHEREAS, as part of that commitment, the City has recognized that, based on the most reliable and up-to-date scientific evidence, the rapid introduction of newly legalized adult-use cannabis products presents a significant potential threat to the public health, safety, and welfare of the residents of Pillager, and particularly to youth; and

WHEREAS, the City has the opportunity to be proactive and make decisions that will mitigate this threat and reduce exposure of young people to cannabis and related products and to the marketing of these products and improve compliance among cannabis users with laws prohibiting the use of such products in public places; and

WHEREAS, the City Council for the City of Pillager, Minnesota has determined that the use of combustible cannabinoids is detrimental to the health and safety of its community and that prohibiting such use in public places is consistent with the City's commitment to providing safe and healthy environments.

NOW, THEREFORE, the City Council for the City of Pillager, Minnesota hereby ordains that the following Sections of the Pillager City Code shall be and hereby is adopted as follows.

Ordinance No. 90

Prohibiting the Use of Cannabis in Public Places

Section 1. **Prohibition of Cannabis Use in Public Places.**

Subd. 1. **Definitions.**

A. For the purposes of this section, the definitions included in Minnesota Statutes, Section 342.01, as enacted by the 93rd Legislature of the State of Minnesota in House File 100, and as the same may be amended from time to time, shall apply.

B. "Public Place." For the purposes of this section, the term "Public Place" shall mean any and all public places within the City of Pillager, including but not limited to any public street, avenue, boulevard, right of way, road, alley, sidewalk, park, trail, parking lot, building, and vehicle. Provided, however, that the following shall not be considered a Public Place:

1. a private residence, including the person's curtilage or yard;
2. 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;

Subd. 2. **Use in Public Places Unlawful.**

A. It shall be unlawful for any person to use combustible cannabinoids in a Public Place.

B. Any person who violates Subd. 2.A of this Section shall be guilty of a petty misdemeanor and fined up to \$300.00 or the maximum amount for a petty misdemeanor allowed by state law.

This Ordinance shall be effective upon its final passage and publication.

Adopted by the City Council of the City of Pillager on this 12th day of December, 2023, by the following vote:


YES: 5

NO: 0

ABSENT: 0



Adam Sparrow
Mayor

ATTEST: 
Lori Blumke
City Clerk