

ORDINANCE 2023-03
CITY OF OTTERTAIL
OTTER TAIL COUNTY – STATE OF MINNESOTA
AN ORDINANCE CREATING CHAPTER 96: CANNABIS USE
UNDER TITLE IX: GENERAL REGULATIONS

The City Council of the City of Ottertail does hereby ordain:

Title IX:GENERAL PROVISIONS of the Ottertail Municipal Code is here amended by adding a new Chapter 96: CANNABIS, regulating the use of cannabis in public in the City of Ottertail as follow:

CHAPTER 96: CANNABIS

§96.01 DEFINITIONS.

PUBLIC PROPERTY, PUBLIC PLACE. The terms "public property" and "public place" mean any place, property or premises dedicated to public use, owned by the city, occupied by the city as a lessee, or occupied by the city as a street by reason of an easement, including, but not limited to, streets, parks or parking lots so owned or occupied.

§96.02 USE OF CANNABIS IN PUBLIC

- (A) It is unlawful to use cannabis flower, cannabis products, lower-potency hemp edibles and hemp-derived consumer products, as defined in Minn. Stat. Section 342.01, in public places anywhere in the City.
- (B) As used in this Section, public places include all areas contained within the City boundaries, except the following:
- (1) Private residences, including the curtilage and yard; and
 - (2) Private property not generally accessible by the public, unless a 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; and
 - (3) The premises of an establishment or event licensed to permit on-site consumption of cannabis flower, cannabis products, lower- potency hemp edibles or hemp-derived consumer products.
- (C) No Person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. See State legislation Sec. 9 Minn. State. 342.09, Subd. 1 (7)(b)(9) or successor statute.

(D) Violation of this Section is a petty misdemeanor as defined by Minnesota law.
This Section may be enforced by the City of Ottertail General Provisions, City Code §10.20.


This ordinance shall take effect upon passage and publication as provided in by law.

Passed and adopted by the Ottertail City Council this 17th day of August 2023.

CITY OF OTTERTAIL


Ronald Grobeck, Mayor

ATTEST:


Amanda Thorson, Clerk-Treasurer

SEAL

X Grobeck
Not Present Carlson
X Windey
X Augustus
X Hill