

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

ORDINANCE NO. 2023-18

**AN ORDINANCE AMENDING CHAPTER 9 OF THE LAKE ELMO CITY CODE
TO PROHIBIT THE USE OF CANNABIS AND HEMP IN PUBLIC PLACES**

THE CITY COUNCIL OF THE CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

SECTION 1. The City Council of the City of Lake Elmo hereby supplements Chapter 9 of the Lake Elmo City Code by adding a new article under 9.32 as follows:

ARTICLE 9.32 PUBLIC PARKS

9.32.085 Cannabis and Hemp Prohibited

(a) Definitions.

(1) For purposes of this article, the terms “cannabis flower,” “cannabis products,” “lower-potency hemp edibles,” and “hemp-derived consumer products” shall have the definitions given to them in Minnesota Statutes, section 342.01, as it may be amended from time to time.

(2) For purposes of this article, “public place” is defined as any indoor or outdoor area that is used or held out for use by the public whether owned or operated by public or private interests. Pursuant to Minnesota Statutes, section 152.0263, subd. 5, “public place” does not include the following: (i) a private residence, including the person's curtilage or yard; (ii) private property not generally accessible by the public; and (iii) 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.

(b) Use of cannabis and hemp prohibited in public places.


No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.

(c) Penalty.

A violation of this section shall be considered a petty misdemeanor notwithstanding any other penalty provision in the city code.

SECTION 2. This ordinance shall take effect on August 15th, 2023, after its passage and publication in accordance with state law.

Adopted by the Lake Elmo City Council this 15th day of August, 2023.


Charles Cadenhead, Mayor

Attest:


Julie Johnson, City Clerk