

ORDINANCE NO. 2023-012

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
CREATING SECTION 130.22 OF THE SHAKOPEE CITY CODE
PERTAINING TO USE OF CANNABINOID PRODUCTS IN PUBLIC**

The City Council of Shakopee, Minnesota ordains:

Section 1. Section 130.22 of the Shakopee City Code is created to read as follows:

130.22 PROHIBITION OF USE OF CANNABIS AND HEMP IN PUBLIC.

A. Definitions.

1. For purposes of this section, 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 section, “public place” is defined as:

within 50 feet of any city-maintained outdoor swimming beach, playground, other outdoor facility used for sports or athletics, park shelter, warming house, refreshment stand, outdoor entertainment facility while the facility is in use for any private or public event, public restroom; or on any part of a property upon which any city-operated building is located, excepting city parks.

3. 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. A violation of this section shall be a petty misdemeanor and is punishable in accordance with Section 10.99 of this Code.

C. Use or possession of cannabis and hemp prohibited on school property. No person shall use or possess cannabis flowers, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place. A violation of this section shall be a petty misdemeanor and is punishable in accordance with Section 10.99 of this Code.

Section 2. Effective Date. This ordinance becomes effective from and after its adoption and publication.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the 17th day of October, 2023.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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