

ORDINANCE NO. 2024-7-2

**CITY OF STACY
CHISAGO COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING THE STACY CITY CODE BY ENACTING
STACY CITY CODE CHAPTER 130, SECTION 130.03 PROHIBITING
CANNABIS USE WITHIN CERTAIN PUBLIC PROPERTY AND PUBLIC
PLACES IN THE CITY OF STACY**

THE CITY COUNCIL OF THE CITY OF STACY, MINNESOTA ORDAINS:

SECTION 1. ENACTMENT. Stacy City Code 130.03 is hereby enacted as follows:

§ 130.03 - CANNABIS USE PROHIBITED ON CERTAIN PUBLIC PROPERTY

(A) DEFINITIONS.

For the purpose of this Section, the following definitions shall apply. Words used in the present tense shall include the future tense, words in singular number shall include the plural, and words in the plural shall include the singular.

CANNABIS FLOWER shall have the meaning as defined in M.S. § 342.01 subd. 16.

CANNABIS PRODUCT shall have the meaning as defined in M.S. § 342.01 subd. 20.

CANNABIS PARAPHERNALIA shall have the meaning as defined in M.S. §342.01 subd. 18.

EDIBLE CANNABIS PRODUCT shall have the meaning as defined in M.S. §342.01 subd. 31.

ELECTRONIC DELIVERY DEVICE shall mean any product containing cannabis flower or cannabis product, whether natural or synthetic, intended for human consumption through inhalation of aerosol or vapor from the product. Electronic delivery device includes but is not limited to devices manufactured, marketed or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery devices includes any component part of a product whether or not marketed or sold separately. Electronic delivery device excludes, drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

HEMP-DERIVED CONSUMER PRODUCT shall have the meaning as defined in M.S. §342.01 subd. 37.

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Proposed Ordinance Posted: June 29, 2024
Public Hearing Date: N/A
Adoption Date: July 9, 2024
Published:

LOWER-POTENCY HEMP EDIBLE shall have the meaning as defined in M.S. §342.01 subd. 50.

SMOKE shall mean inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from cannabis flower or cannabis product, whether natural or synthetic, that is intended for inhalation. Smoke includes carrying or use of an activated electronic delivery device.

(B) PROHIBITION.

It is unlawful to smoke or use cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products on City-owned park, ball field or sport field property.

(C) PENALTY.

A violation of this section is a petty misdemeanor.

SECTION 2 EFFECTIVE DATE. This Ordinance shall be effective immediately upon passage and publication according to law.

Adopted by the City Council of the City of Stacy this 9th day of July, 2024.

By: _____
Mark Utecht, Mayor

ATTEST:

Tanya Smolke, City Clerk

Proposed Ordinance Posted: June 6, 2024
Public Hearing Date: June 18, 2024
Adoption Date: July 9, 2024
Published:

**CITY OF STACY
CHISAGO COUNTY, MINNESOTA**

SUMMARY ORDINANCE NO. 2024-7-2

**A SUMMARY ORDINANCE AMENDING THE STACY CITY CODE BY
ENACTING STACY CITY CODE CHAPTER 130, SECTION 130.03
PROHIBITING CANNABIS USE WITHIN CERTAIN PUBLIC
PROPERTY AND PUBLIC PLACES IN THE CITY OF STACY**

NOTICE IS HEREBY GIVEN that, on July 9, 2024, Ordinance No. 2024-7-2 was enacted by the City Council of the City of Stacy, Minnesota.

NOTICE IS FURTHER GIVEN that, because of the lengthy nature of Ordinance No. 2024-7-2 the following summary of the ordinance has been prepared for publication.

NOTICE IS FURTHER GIVEN that the ordinance adopted by the City Council prohibits smoking of cannabis flower and cannabis product and consumption of cannabis product beverages on City park and ball field property. A violation of this Section is a petty misdemeanor.

A printed copy of the whole ordinance is available for inspection by any person during the City's regular office hours or on the City's website.

APPROVED for publication by the City Council of the City of Stacy, Minnesota, this 9th day of July, 2024.

BY: _____
Mark Utecht, Mayor

ATTEST:

Tanya Smolke, City Clerk

Published in the Chisago County Press _____, 2024.

Council Meeting Last Night

James Monge <JMonge@ck-law.com>
To: Angie Comstock <deputycityclerk@stacymn.org>

Wed, Jun 12, 2024 at 4:27 PM

Hi Angie,

The cannabis ordinance does not require a public hearing.

At the meeting last night Councilmember Barrett requested an amendment to the ordinance to add "cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products" to the list of items that could not be used in public places. I mistakenly stated that the definition of "cannabis products" includes all of those items. It does not. Unfortunately, the website with the Minnesota Statutes was down last night so I couldn't do a quick double check during the meeting. Anyway, I think it would be the intent of the majority of the counsel to add that language and also additional definitions for the additional included items. I will revise the ordinance and get a copy over to you for Council's consideration.

I will research the tree clearing question.

I have not reached out to AGED yet. Go ahead and give your contact a call.

James J. Mongé III

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