

ORDINANCE NO. 43, EIGHTH SERIES

**AN ORDINANCE OF THE CITY OF FERGUS FALLS, MINNESOTA
CREATING CITY CODE CHAPTER 135 USE OF CANNABIS IN PUBLIC**

THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. **City Code Chapter 135 USE OF CANNABIS IN PUBLIC, is hereby created to read as follows:**

§ 135 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. §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 as defined in Minn. Stat. §342.09:
 - a. Private residences, including the curtilage and yard; and

 - b. 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

 - c. 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.

 - d. The use of cannabis is also prohibited under Minn. Stat. §144.414.

- (C) Violation of this Section is a petty misdemeanor as defined by Minnesota law.

Section 2. Summary Publication. Pursuant to Minn. Stat. §412.191 a summary of the Ordinance may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

Ordinance No. 43 adopted by the Fergus Falls City Council on the 5th day of September, 2023, creates City Code Chapter 135, Use of Cannabis in Public.

Section 3. Effective date. The effective date of this ordinance shall be the 24th day of September, 2023.

THIS ORDINANCE was introduced on the 21st day of August, 2023, and adopted by the City Council of the City of Fergus Falls, Minnesota, on the 5th day of September, 2023 by the following vote:

AYES: Kremeier, Thompson, Rachels, Hicks, Job, Kvamme, Rufer

NAYES: None

ABSENT: Fish

ATTEST:

APPROVED:

City Administrator

Mayor

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