

ORDINANCE NO. 493

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORA, MINNESOTA ADOPTING A TEXT AMENDMENT TO CITY OF MORA CODE OF ORDINANCES, TITLE XIII GENERAL OFFENSES, CREATING CHAPTER 132 CANNABIS AND CANNABIS DERIVED PRODUCTS

THE CITY COUNCIL OF THE CITY OF MORA, KANABEC COUNTY, MINNESOTA ORDAINS:

Section 1: TITLE XIII: General Offenses, of the City of Mora City Code is amended to include the following;

CHAPTER 132-CANNABIS AND CANNABIS DERIVED PRODUCTS IN PUBLIC PLACES

Subsection 132.100 Definitions

The definitions in Minn. Stat. § 342.01 apply to this section. In this section the following definitions apply:

ADULT-USE CANNABIS FLOWER: A cannabis flower that is approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp- derived consumer products.

ADULT-USE CANNABIS PRODUCTS: A cannabis product that is approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

CANNABIS FLOWER: The harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

CANNABIS PRODUCT: Any of the following: (1) cannabis concentrate; (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or (3) any other product that contains cannabis concentrate. Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products.

CERTAIN CANNABINOID PRODUCTS: Any product legalized under Minn. Stat. §151.72.

LOWER-POTENCY HEMP EDIBLE: Any product that (1) is intended to be eaten or consumed as a beverage by humans; (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; (3) is not a drug; (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts; (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol; (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and (8) is a type of product approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that Office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

HEMP-DERIVED CONSUMER PRODUCT: A product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and (1) contains or consists of hemp plant parts; or (2) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

PUBLIC PLACE: Property owned, leased, or controlled by a governmental unit and private property that is regularly and frequently open to or made available for use by the public in sufficient numbers to give clear notice of the property's current dedication to public use but does not include: a person's dwelling house or premises, including the person's curtilage or yard; private property not generally accessible by the public, unless the 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; or the premises of an establishment or event licensed to permit on-site consumption.

PLACE OF PUBLIC ACCOMODATION: A business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.

- (1) a private residence, including the individual's curtilage or yard.
- (2) private property, not generally accessible by the public, unless the individual 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; or
- (3) on the premises of an establishment or event licensed to permit on-site consumption.

SMOKING: inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

Subsection 132.200. Prohibited Acts

Subd. 1. No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use cannabis flower and adult use cannabis products. See Minn. Stat. §152.0263, subd. 5, or successor statute.

Subd. 2. 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. Stat. §342.09, subd. 1(7)(b)(9) or successor statute.

Subsection 132.300. Penalty

Criminal Penalty. A violation of this ordinance shall be a petty misdemeanor having a fine payable up to \$300.00. Nothing in this ordinance prohibits the County from seeking prosecution for an alleged violation.

SECTION 2. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2024 by the City Council for the City of Mora.

CITY OF MORA

BY: _____

Jake Mathison, Mayor

ATTEST:

Natasha Segelstrom, City Clerk