

ORDINANCE NO. 513

**AN ORDINANCE AMENDING THE CITY OF MILACA CODE
TITLE XI OF THE CITY CODE
ADDING CHAPTER 121
PROHIBITING CANNABIS USE WITHIN PUBLIC PROPERTY AND PUBLIC
PLACES**

121.01 PURPOSE AND INTENT.

The purpose of this chapter is to regulate the use of legalized cannabis and any product that contains cannabis to meet the requirements of use within public property and public places.

121.02 DEFINITIONS.

PUBLIC PLACE. Property that is generally open to or accessible by the public, except on those premises licensed by the State of Minnesota to permit on-site consumption.

PUBLIC PROPERTY. Property, real and personal, that is owned, managed, or controlled by the City, including, but not limited to: City buildings and all the land thereon, parking lots, parks, airport property, golf courses, pathways and trails, and city rights-of-way consisting of both the traveled portion and the abutting boulevard, sidewalks and trails, and any City personal property, such as motor vehicles, city equipment, and the like.

CANNABIS FLOWER. "Cannabis flower" means 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 PRODUCTS. "Cannabis product" means 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. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

121.03 PROHIBITION.

No person shall use cannabis flower, cannabis products within public property or in a public place.

121.04 PENALTY.

A violation of this Section is a petty misdemeanor.


This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of Milaca this 21st day of September, 2023.



Mayor Dave Dillan

ATTEST:



City Manager Tammy Pfaff

First Reading: August 17, 2023

Second Reading: September 21, 2023

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