

**CITY OF MARSHALL
ORDINANCE 23-029**

**AN ORDINANCE AMENDING CHAPTER 42, OFFENSES AND MISCELLANEOUS
PROVISIONS, ARTICLE 42-V, OFFENSES INVOLVING PUBLIC MORALS,
SECTION 42-112 CONSUMPTION OF BEER OR LIQUOR ON STREETS AND
PUBLIC PROPERTY**

The Common Council of the City of Marshall do ordain:

SECTION 1: **AMENDMENT** “Section 42-112 Consumption Of Beer Or
Liquor On Streets And Public Property” of the Marshall Municipal Code is hereby *amended*
as follows:

AMENDMENT

Section 42-112 Consumption Of Beer ~~Or Liquor~~, Liquor or Cannabinoid Products On Streets
And Public Property

(a) Definitions.

- (1) For purposes of this section, the term “cannabinoid 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 property is defined as 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, 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.
- (3) For purposes of this section, the term "smoking" means inhaling, exhaling, burning, vaping or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, cannabis plant, hemp plant, cannabinoid product or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.

(b) Prohibition.

- (1) It is unlawful for any person to consume or possess in an unsealed container, beer or liquor on any street or other public property except city parks when and where permission has been specifically granted by a permit issued by the community services department.
- (2) Except for when otherwise allowed under Minnesota Statutes Section 342.09, it is unlawful for any person to consume or smoke any Cannabinoid Product on any street or other public property except at a city sponsored or private

permitted event in a city park when and where permission has been specifically granted by a permit issued by the community services department and the event is a licensed event by the Office of Cannabis Management.

(Code 1976, § 10.04)

Cross reference(s)—Alcoholic beverages, ch. 6.

State law reference(s)—Open bottles in motor vehicles, Minn. Stat. § 169.122.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

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Presiding Officer

Attest

Robert Byrnes, Mayor, City of
Marshall

Steven Anderson, City Clerk, City of
Marshall