



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Pamela Whitmore
Meeting Date:	Tuesday, December 19, 2023
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Adoption of Ordinances Regarding Public Use of Cannabinoid Products and Prohibition on Smoking of Cannabinoid and Tobacco Products in City Parks and City Recreational Facilities
Background Information:	<p>At the October Legislative & Ordinance Committee meeting (“L&O”), the Committee discussed the use of Cannabinoid Products in public spaces in the City of Marshall. The L&O Committee received an update from the City Attorney and City Administrator regarding the Community Services Advisory Board’s recommendation related to use in public spaces. The L&O committee also reviewed the County ordinance prohibiting public use of cannabinoid products in the County.</p> <p>The L&O Committee directed staff to update city ordinances to mirror the county ordinance for a prohibition on use of cannabinoid products in city parks and at recreational facilities and amend current ordinances to prohibit tobacco smoking and vaping in parks and recreational facilities as well.</p> <p>Attached is:</p> <ol style="list-style-type: none"> 1. An ordinance amending the City Code of Ordinances, Chapter 46, Parks and Recreation, Article 4-II Public Conduct, to add a new section 46-29 related to the smoking of tobacco products and cannabinoid products and the use of all cannabinoid products. 2. An amendment to existing Section 10-22, Requirements For Owner, Operator Or Manager Of Public Dancing Place, to accommodate for cannabinoid products. 3. An amendment to existing Section 42-112, Consumption Of Beer Or Liquor On Streets And Public Property to include Cannabinoid.
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	<ol style="list-style-type: none"> 1) To adopt Ordinance 23-029 amending Chapter 42, Section 42-112 Consumption of Beer, Liquor or Cannabinoid Products On Streets and Public Property and authorize it’s summary publication pursuant to MN Statute 412.191. 2) To adopt Ordinance 23-030 amending Chapter 46 Park and Recreation to add Section 46-29 Smoking of Cannabinoid or Tobacco Products in City Parks and Recreational Facilities Prohibited; Use of All Forms of Cannabinoid Products Prohibited in City Parks and Recreational Facilities and authorize its summary publication pursuant to MN Statute 412.191. 3) To adopt Ordinance 23-031 amending Chapter 10, Section 10-22 Requirements for Owner, Operator or Manager of Public Dancing Place and authorize its summary publication pursuant to MN Statute 412.191.