

Title

Amending Title XXIII Public Health Safety and Welfare of the Legislative Code to add Chapter 222, titled Smoking of Tobacco, Hemp and Cannabis Products in City Owned ~~Public Places~~ Youth Activity Areas Prohibited.

Body

SECTION 1

WHEREAS, on May 30, 2023, Governor Tim Walz signed into law House File 100 relating to the possession, sale, and adult use of cannabis; and

~~WHEREAS, House File 100, Article 4, Section 15, allows that a local unit of government may adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower or cannabis products in a public place; and~~

WHEREAS, House File 100, Article 1, Section 74 declares that any use of adult-use cannabis flower which is injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is a nuisance; and

WHEREAS, Saint Paul has a vested interest to promote, protect, and improve the health of people, communities, and the environment; and

WHEREAS, The Centers for Disease Control and Prevention indicate secondhand marijuana smoke contains many of the same toxic and cancer-causing chemicals found in tobacco smoke and contains some of those chemicals in higher amounts; and

WHEREAS, Saint Paul recognizes that the secondhand effect of smoking tobacco and cannabis in public places possess a threat to public health and safety; and

WHEREAS, Saint Paul has a commitment to protect community members younger than 21 years old from the exposure to cannabis; Now, therefore be it

RESOLVED, that the Council of the City of Saint Paul does hereby ordain:

SECTION 2

Saint Paul Legislative Code Title XXIII Public Health Safety and Welfare is amended to add Chapter 222, titled Smoking of Tobacco, Hemp and Cannabis Products in City Controlled ~~Public Places~~ Youth Activity Areas Prohibited.

Sec. 222.01 Definitions.

City Controlled ~~Public Places.~~ Youth Activity Areas means city controlled playgrounds, athletic fields, spectator viewing areas, and parent/supervisor resting areas.

Smoking. Inhaling, exhaling, vaping or combustion of any cigar, joint, blunt, cigarette, pipe or any other similar article. Smoking includes possessing or carrying a lighted cigar, cigarette, pipe or any other lighted or heated product or electronic delivery device.

Sec. 222.02. Smoking of Tobacco, Hemp and Cannabis in City Controlled ~~Public Places~~ Youth Activity Areas Prohibited.

It is unlawful to smoke tobacco as defined in Minn. Stat. Section 609.685, cannabis flower, cannabis products, and hemp-derived consumer products, as defined in Minn. Stat. Section 342.01, ~~in any City Controlled Public Place in the City of Saint Paul.~~ in City Controlled Youth Activity Areas.

Sec. 222.03. Penalty

Violation of this Section is a petty misdemeanor.

SECTION 3

This Ordinance shall take effect and be in force thirty (30) days following passage, approval, and publication.