

**ORDINANCE NO. 1511**

**AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 10, OFFENSES AND MISCELLANEOUS PROVISIONS AND WILLMAR MUNICIPAL CODE, CHAPTER 11, REGULATIONS FOR USE OF PARKS**

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE CHAPTER 10, OFFENSES AND MISCELLANEOUS PROVISIONS. Chapter 10, Article I, of the Willmar Municipal Code is hereby amended by adding a new Section 10-3 Public Use of Cannabis and Certain Hemp Products, to prohibit the public use of cannabis and certain hemp products, as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

**Sec. 10-3 Public Use of Cannabis and Certain Hemp Products.**

- (a) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless the context clearly indicates a different meaning.

Cannabis Flower, Cannabis Products, Hemp-Derived Consumer Products, and Lower-Potency Hemp Edibles shall have the meanings ascribed to them in M.S.A. § 342.01.

Public Place shall mean any property owned, managed, or controlled by the City and any building or outdoor space that is open to the public with or without an admission fee, including, but not limited to, any street, highway, sidewalk, alley, park, school grounds, public areas and public buildings, places of amusement or entertainment or refreshment, vacant or parking lot, or other area ordinarily used by or available to the public though not as a matter of right. Public Place shall not mean (1) a private residence, including the person's curtilage or yard; (2) 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 (3) the premises of an establishment or event licensed to permit on-site consumption.

- (b) Prohibited. It is unlawful for any person to use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.
- (c) Penalty. Any person violating the terms of this section shall be guilty of a petty misdemeanor.

Section 2. AMENDMENT OF MUNICIPAL CODE CHAPTER 11, PARKS AND RECREATION. Chapter 11, Article IV, of the Willmar Municipal Code is hereby amended by adding a new Section 11-94 Use of Cannabis and Certain Hemp Products, to prohibit the public use of cannabis and certain hemp products in parks, as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

**Sec. 11-94. Use of Cannabis and Certain Hemp Products.**

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, as defined in Minn. Stat. § 342.01, in any park. Notwithstanding section 11-2, a violation of this section shall be a petty misdemeanor.

**Cross reference** – Public Use of Cannabis and Certain Hemp Products, § 10-3.

Section 3. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption and publication.

Passed by the City Council of the City of Willmar this 21st day of August, 2023.

ATTEST:

/s/ Judy R. Thompson  
Judy R. Thompson, City Clerk

/s/ Douglas E. Reese  
Douglas E. Reese, Mayor

VOTE:  X  SHULDES  X  O'BRIEN  X  DAVIS  X  ASMUS  
 X  FAGERLIE  X  ASK  X  BUTTERFIELD  X  NELSEN

This Ordinance introduced by Council Member:  Nelsen

This Ordinance introduced on:  August 7, 2023

This Ordinance published on:  August 12, 2023

This Ordinance given a hearing on:  August 21, 2023

This Ordinance adopted on:  August 21, 2023

This Ordinance published on:  August 26, 2023

**SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. 1511**

**AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 10, OFFENSES AND MISCELLANEOUS PROVISIONS AND WILLMAR MUNICIPAL CODE, CHAPTER 11, REGULATIONS FOR USE OF PARKS BY PROHIBITING THE PUBLIC USE OF CANNABIS AND CERTAIN HEMP PRODUCTS**

**Summary:** Ordinance No. 1511 as adopted by the Willmar City Council on August 21, 2023, amends the City's Offenses and Miscellaneous Provisions under Chapter 10 and the City's Regulations for Use of Parks under Chapter 11 by prohibiting the use of cannabis and certain hemp products in a public place within the City of Willmar.

The complete text of Ordinance No. 1511 may be obtained at no charge at City Hall (333 6<sup>th</sup> Street Southwest, Willmar, MN 56201), or from the City's website at [www.willmarmn.gov](http://www.willmarmn.gov).