

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED “GENERAL OFFENSES” BY ADDING SECTION 130.09 REGARDING CANNABIS USE WITHIN PUBLIC PROPERTY AND PUBLIC PLACES

The City Council of Apple Valley ordains:

Section 1. Chapter 130 of the Apple Valley City Code is hereby amended by adding Section 130.09 to read as follows:

§ 130.09 CANNABIS USE PROHIBITED.

(A) *Definitions.* For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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, golf course, 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 PRODUCTS, LOWER-POTENCY HEMP EDIBLES, and HEMP-DERIVED CONSUMER PRODUCTS shall have the meanings as defined in Minn. Stat. §342.01 (enacted under Minnesota Laws 2023).

(B) *Prohibition.* No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within public property or in a public place.

(C) *Penalty.* A violation of this Section is a petty misdemeanor.

Section 2. *Effective Date.* This ordinance shall take effect upon its passage and the publication.

Section 3. *Filing.* A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any person during regular office hours.

PASSED by the City Council this ____ day of _____, 2023.

Clint Hooppaw, Mayor

ATTEST:

Pamela J. Gackstetter, City Clerk

Date Ordinance Adopted: _____

Date Ordinance Published in the Legal Newspaper: _____