



Legislation Details (With Text)

File #: 23-021-O **Name:**

Type: Ordinance **Status:** Passed

File created: 7/20/2023 **In control:** Intergovernmental Relations

On agenda: 7/24/2023 **Final action:** 8/14/2023

Title: AN ORDINANCE AMENDING CHAPTER 35, ARTICLE I, SECTIONS 35-8, OF THE DULUTH CITY CODE TO PROHIBIT SMOKING OR VAPING OF ANY CANNABINOID IN A PUBLIC PARK.

Sponsors: Arik Forsman, Terese Tomanek, Roz Randorf

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/14/2023	1	City Council	adopted	Pass
7/24/2023	1	City Council	read for the first time	

AN ORDINANCE AMENDING CHAPTER 35, ARTICLE I, SECTIONS 35-8, OF THE DULUTH CITY CODE TO PROHIBIT SMOKING OR VAPING OF ANY CANNABINOID IN A PUBLIC PARK.

BY COUNCILORS FORSMAN, TOMANEK, AND RANDORF:

The city of Duluth does ordain:

Section 1. That Chapter 35, Article I, Section 35-8, of the Duluth City Code be amended as follows:

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests;
- (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
- (c) Urinate or defecate anywhere but in a proper toilet facility;
- (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
- (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
- (f) Carry any garbage or solid waste into any park for the purpose of disposing of the same in trash containers in the park;
- (g) Place any garbage or solid waste in trash containers in the park if such garbage or solid waste was generated by activities occurring outside the park;
- (h) Dump any garbage, solid waste or earth in any stream, lake or pond in or adjacent to any park;
- (i) Possess any glass beverage container while outside of a motor vehicle;
- (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages unless:
 - (1) An alcohol consumption permit has been issued for the area pursuant to Section 35-9(a)(4); or
 - (2) An on sale license has been issued for the area pursuant to Chapter 8 of this

- Code; or
- (3) An unopened container of alcoholic beverages is being transported through the park on a thoroughfare that runs through the park; or
- (4) An unopened container of alcoholic beverages is being transported through the park to a boat launch in the park on a road that leads directly to the boat launch;
- (k) Ingest by smoking or vaping any cannabinoid as defined in Section 28-63 (c).
- Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance updates the city's park regulations to prohibit smoking or vaping cannabinoids in public parks.