



Legislation Details (With Text)

<b>File #:</b>	23-023-O	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Withdrawn
<b>File created:</b>	8/3/2023	<b>In control:</b>	Personnel
<b>On agenda:</b>	8/14/2023	<b>Final action:</b>	8/17/2023

**Title:** AN ORDINANCE AMENDING CHAPTER 28, ARTICLE VII, SECTION 28-64, OF THE DULUTH CITY CODE TO CLARIFY THAT SMOKING ANY PROHIBITED SUBSTANCE OR CHEWING TOBACCO IS PROHIBITED IN CERTAIN LOCATION.

**Sponsors:** Azrin Awal, Mike Mayou

**Indexes:**

**Code sections:**

**Attachments:**

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

AN ORDINANCE AMENDING CHAPTER 28, ARTICLE VII, SECTION 28-64, OF THE DULUTH CITY CODE TO CLARIFY THAT SMOKING ANY PROHIBITED SUBSTANCE OR CHEWING TOBACCO IS PROHIBITED IN CERTAIN LOCATION.

BY COUNCILOR AWAL AND COUNCILOR MAYOU:

The city of Duluth does ordain:

Section 1. That Chapter 28, Article VII, Section 28-64, of the Duluth City Code be amended as follows:

**Sec. 28-64. Ingesting a prohibited substance--prohibited in certain places.**

(a) No person shall ingest by smoking any prohibited substance or chewing tobacco ~~any prohibited substance~~ at or in any of the following locations:

- (1) Anywhere smoking is prohibited by the Minnesota Clean Indoor Air Act;
- (2) Inside any Duluth Transit Authority transit shelter;

(3) Within 15 feet from the nearest point of any Duluth Transit Authority transit shelter which displays at least two signs visible from the exterior of the shelter providing notice of this prohibition, said 15 feet measured in a straight line of constant elevation;

(4) Anywhere in Wade Stadium that is open to the public except in areas designated for such consumption;

(5) Within 100 feet of the nearest property line of a medical facility, said 100 feet measured in a straight line of constant elevation; provided that this prohibition does not apply to a person inside an enclosed motor vehicle in motion on a public street or alley;

(6) On the Lakewalk, on Gichi-Ode' Akiing (Lake Place) or in Leif Erikson Park;

(7) Within the Clayton Jackson McGhie Memorial except as permitted by Minnesota Statutes §144.4167, Subdivision 2;

(8) Within the indoor area of any establishment with a retail tobacco license, including smoking for the purpose of sampling prohibited substances;

(9) In Central Hillside Park;

(b) Any person violating this Section is guilty of a petty misdemeanor or may be penalized under Chapter 12 of the Duluth City Code, 1959, as amended;

(c) Signage to enforce the provisions of this ordinance shall be approved by the city of Duluth

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance clarified that smoking any prohibited substance in certain locations in the city is prohibited.