



Legislation Text

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File #: 24-032-O, Version: 1

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AN ORDINANCE AMENDING ARTICLE I, SECTIONS 44A-2 AND 44A-3, OF CHAPTER 44A OF THE DULUTH CITY CODE TO MAKE DEFACING THE SKYWALK A MISDEMEANOR OFFENSE AND PROHIBITING SMOKING OR VAPING IN THE SKYWALK SYSTEM.

CITY PROPOSAL:

Section 1: That, Article I, Section 44A-2 of Chapter 44A of the Duluth City Code is hereby amended as follows:

**Sec. 44A-2. Defacing skywalk prohibited.**

(a) No person shall write upon or in any manner intentionally damage, deface or soil any ceiling, floor, wall, window or other structural surface or any furniture, plants, signs, fixtures or decorations within the skywalk system.

(b) A violation of this section is a misdemeanor offense for which a sentence of not more than 90 days or a fine of not more than \$1000, or both, may be imposed as well as restitution for damage.

Section 2: That Article I, Section 44A-3 of Chapter 44A of the Duluth City Code is hereby amended as follows:

**Sec. 44A-3. Littering, etc.**

Within the skywalk system, no person shall:

(a) Throw, deposit or place or cause to be thrown, deposited or placed any paper, bottles, cans, or any other garbage or solid waste whatsoever at any place except into a trash or rubbish container;

(b) Tip over any trash or rubbish container or cause the contents of a trash or rubbish container to be deposited on the floor of the skywalk system;

(c) Spit, urinate or defecate on the floor, walls, windows or elsewhere within the skywalk system except in the proper facilities.

(d) No person shall ingest by smoking or vaping any substance within the skywalk system. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device, as defined in Minnesota State Statute 609.685.

(e) A violation of this section is a misdemeanor offense for which a sentence of not more than 90 days or a fine of not more than \$1000, or both, may be imposed as well as restitution for damage.

Section 3. That this ordinance shall take effect and be in force 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: This ordinance amends Chapter 44A to include a misdemeanor offense for defacing, damaging, littering, urinating, defecating, or smoking cannabinoid within the skywalk system. The amendment includes adding the prohibition against smoking or vaping of cannabinoids within the skywalk system.