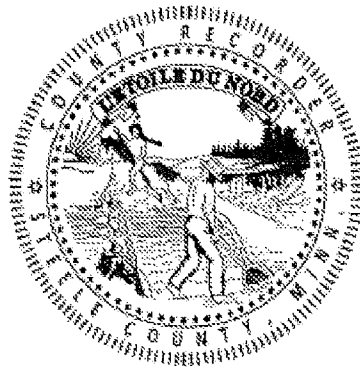


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OFFICE OF THE COUNTY RECORDER
STEELE COUNTY, MINNESOTA
CERTIFIED, FILED, AND/OR RECORDED ON
12/23/2024 12:46 PM
PAGES: 5 FEES: 0.00
RICK G. KVIENT
STEELE COUNTY RECORDER
BY: MELISSA T

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Document Type: ORDINANCE

Rick Kvien, Steele County Recorder and Registrar of Titles

Steele County Recorder
630 Florence Avenue
PO Box 890
Owatonna, MN 55060

Ordinance Number 41

ORDINANCE REGULATING THE USE OF CANNABIS
AND CANNABIS DERIVED PRODUCTS IN PUBLIC PLACES

The County Board of Steele County Ordains:

Section 1: Purpose and Intent.

Section 2. Definitions.

Section 3. Prohibited Acts.

Section 4. Penalty.

Section 5. Severability.

Section 6. Effective Date.

Section 1: Purpose and Intent.

This Ordinance is adopted by the Steele County Commissioners for the purpose of protecting public health and safety by REGULATING/PROHIBITING the use of Cannabis and cannabis derived products in public places and places of public accommodation within Steele County.

By enacting 2023 Session Law, Chapter 63, H. F. No. 100 (hereinafter referred to “State Legislation”), the Minnesota Legislature passed the adult-use cannabis bill. Under that bill, the adult use, possession and personal growing of cannabis will become legal August 1, 2023.

State legislation authorizes adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis. See State Legislation, Art. 4, Sec. 19 (Minn. Stat. § 152.0263, subd. 5, or successor statute).

The County wishes to be proactive in protecting public health and safety by enacting regulations that will mitigate threats presented to the public by the public use of cannabis.

Steele County (hereinafter “the County”) recognizes the risks that unintended access and use of cannabis products present to the health, welfare, and safety of youth in Steele County.

Section 2. Definitions.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them except where the context clearly indicates a different meaning.

(a) **Adult-use cannabis flower.** “Adult-use cannabis flower” means cannabis flower that is approved for sale by the Minnesota Office of Cannabis Management or is substantially similar to a product

approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.

(b) **Adult-use cannabis products.** “Adult-use cannabis products” means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

(c) **Cannabis flower.** “Cannabis flower” means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

(d) **Cannabis product.** “Cannabis product” means any of the following:

- (1) cannabis concentrate;
- (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
- (3) any other product that contains cannabis concentrate.

(e) **Hemp derived consumer products.**

- (1) “Hemp derived consumer products” means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:
 - (i) contains or consists of hemp plant parts; or
 - (ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.
- (2) Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

(f) **Lower-potency hemp edible.** A “lower-potency hemp edible” means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

(g) **Public place.** A “public place”, means a public park or trail, public street or sidewalk, any enclosed, indoor area used by the general public, including, but not limited to, theaters, restaurants, bars, food establishments, places licensed to sell intoxicating liquor, wine, or malt beverages, retail businesses, gyms, common areas in buildings, public shopping areas, auditoriums, arenas, or other places of public accommodation, and the grounds of the Steele County Free Fair.

(h) **Place of public accommodation.** “Place of public accommodation” means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.”

(i) **Exceptions to public place or place of public accommodation.** “A public place” or “a place of public accommodation” does not include the following:

- (1) a private residence, including the individual’s curtilage or yard.
- (2) a private property, not generally accessible by the public, unless the individual 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) on the premises of an establishment or event licensed to permit on-site consumption.

(j) **Smoking.** “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

Section 3. Prohibited Acts.

301. No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or event licensed to permit on-site consumption of adult-use cannabis flower and adult use cannabis products. See State Legislation, Art. 1, Sec. 9 (Minn. Stat. § 342.09, subd. 1(2) or successor statute); see also State Legislation, Art. 1, Sec. 9 (Minn. Stat. § 342.09, subd.1 (7)(iii) or successor statute); and State Legislation, Art. 4, Sec. 19 (Minn. Stat. § 152.0263, subd. 5, or successor statute).

302. No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. See State Legislation, Art. 1, Sec. 9 Minn. Stat. § 342.09, subd. 1 (7)(b)(9) or successor statute.

Section 4. Penalty.

A violation of this ordinance shall be a petty misdemeanor punishable by a fine of up to \$300. Violations of this ordinance shall be prosecuted by the County Attorney. Nothing in this ordinance prohibits the County from seeking prosecution for an alleged violation.

Section 5. Severability.

If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

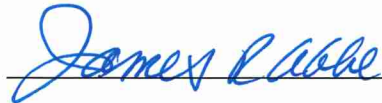
Section 6. Effective Date.

This ordinance shall be in full force and effect immediately from and after its passage and publication as required by law.

Passed and adopted this 12 day of Dec, 2024, with the following vote:

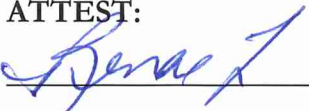
Aye 5; No 0; Absent; 0.

Approved and signed this 12 day of December, 2024.



Steele County Board Chair

ATTEST:



Steele County Administrator

Approved as to Form and Legality



Steele County Attorney

Published in the Owatonna People's Press on January 9, 2025.

Recorded with the Steele County Recorder on December 23, 2024.

Document # A000454989

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA) ss
COUNTY OF

I do solemnly swear that the notice, as per the proof, was published in the edition of the

Owatonna People's Press

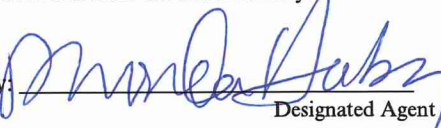
with the known office of issue being located in the county of:

with additional circulation in the counties of:
Steele
and has full knowledge of the facts stated below:

- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 11/27/2024 and the last insertion being on 11/27/2024.

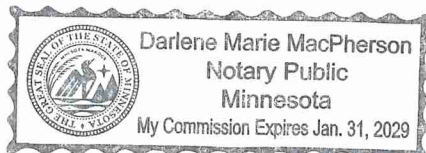
MORTGAGE FORECLOSURE NOTICES

Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By: 
Designated Agent

Subscribed and sworn to or affirmed before me on 11/27/2024


Notary Public



Rate Information:

(1) Lowest classified rate paid by commercial users for comparable space:
\$999.99 per column inch

Ad ID 1436417

NOTICE OF PUBLIC HEARING STEELE COUNTY ORDINANCE REGULATING THE USE OF CANNABIS AND CANNABIS DERIVED PRODUCTS IN PUBLIC PLACES

NOTICE IS HEREBY GIVEN that the Steele County Board of Commissioners will conduct a public hearing regarding the adoption of an Ordinance Regulating the Use of Cannabis and Cannabis Derived Products in Public Places. The public hearing will take place as part of the regular County Board meeting on Tuesday, December 12, 2024, at 5:15 p.m., or as soon thereafter as the matter may be heard, in the Boardroom of the Steele County Administration Center, 630 Florence Avenue, Owatonna, MN.

All interested persons may appear and be heard at the public hearing or may file their written comments prior to the hearing date with the County Administrator at 630 Florence Ave, Owatonna, MN 55060 or Rena.Fry@steelecountymn.gov. The draft ordinance is accessible on the county web site at www.SteeleCountyMN.gov, or a copy of the ordinance can be obtained by contacting the County Administrator at (507) 444-7431 or Rena.Fry@steelecountymn.gov

Rena Fry
Steele County Administrator

Published in the
Owatonna Peoples Press
November 27, 2024
1436417

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA) ss
COUNTY OF

I do solemnly swear that the notice, as per the proof, was published in the edition of the

Owatonna People's Press

with the known office of issue being located in the county of:

with additional circulation in the counties of:
Steele

and has full knowledge of the facts stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.

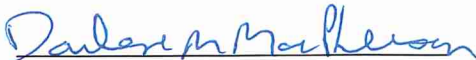
(B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 01/09/2025 and the last insertion being on 01/09/2025.

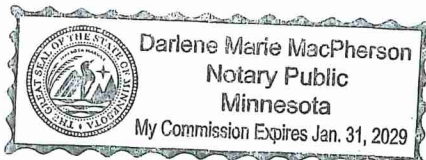
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By: 
Designated Agent

Subscribed and sworn to or affirmed before me on 01/09/2025


Notary Public



Rate Information:

(1) Lowest classified rate paid by commercial users for comparable space:

\$999.99 per column inch

Ad ID 1442426

Original Paper is w/ 0426

**STEELE COUNTY
ORDINANCE NUMBER 41**

**ORDINANCE REGULATING THE USE OF CANNABIS
AND CANNABIS DERIVED PRODUCTS IN PUBLIC PLACES**

The County Board of Steele County Ordains:

Section 1: Purpose and Intent.

Section 2: Definitions.

Section 3: Prohibited Acts.

Section 4: Penalty.

Section 5: Severability.

Section 6: Effective Date.

Section 1: Purpose and Intent.

This Ordinance is adopted by the Steele County Commissioners for the purpose of protecting public health and safety by REGULATING/PROHIBITING the use of Cannabis and cannabis derived products in public places and places of public accommodation within Steele County.

By enacting 2023 Session Law, Chapter 63, H. F. No. 100 (hereinafter referred to "State Legislation"), the Minnesota Legislature passed the adult-use cannabis bill. Under that bill, the adult use, possession and personal growing of cannabis will become legal August 1, 2023.

State legislation authorizes adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis. See State Legislation, Art. 4, Sec. 19 (Minn. Stat. § 152.0263, subd. 5, or successor statute).

The County wishes to be proactive in protecting public health and safety by enacting regulations that will mitigate threats presented to the public by the public use of cannabis.

Steele County (hereinafter "the County") recognizes the risks that unintended access and use of cannabis products present to the health, welfare, and safety of youth in Steele County.

Section 2: Definitions.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them except where the context clearly indicates a different meaning.

(a) **Adult-use cannabis flower.** "Adult-use cannabis flower" means cannabis flower that is approved for sale by the Minnesota Office of Cannabis Management or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.

(b) **Adult-use cannabis products.** "Adult-use cannabis products" means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

(c) **Cannabis flower.** "Cannabis flower" means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

(d) **Cannabis product.** "Cannabis product" means any of the following:

- (1) cannabis concentrate;
- (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
- (3) any other product that contains cannabis concentrate.

(e) **Hemp derived consumer products.**

- (1) "Hemp derived consumer products" means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:
 - (i) contains or consists of hemp plant parts; or
 - (ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.
- (2) Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

(f) **Lower-potency hemp edible.** A "lower-potency hemp edible" means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;
- (3) is not a drug;

- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
 - (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
 - (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
 - (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
 - (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.
- (g) **Public place.** A "public place", means a public park or trail, public street or sidewalk, any enclosed, indoor area used by the general public, including, but not limited to, theaters, restaurants, bars, food establishments, places licensed to sell intoxicating liquor, wine, or malt beverages, retail businesses, gyms, common areas in buildings, public shopping areas, auditoriums, arenas, or other places of public accommodation, and the grounds of the Steele County Free Fair.
- (h) **Place of public accommodation.** "Place of public accommodation" means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public."
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- (j) **Smoking.** "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

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301. No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or event licensed to permit on-site consumption of adult-use cannabis flower and adult use cannabis products. See State Legislation, Art. 1, Sec. 9 (Minn. Stat. § 342.09, subd. 1(2) or successor statute); see also State Legislation, Art. 1, Sec. 9 (Minn. Stat. § 342.09, subd. 1 (7)(iii) or successor statute); and State Legislation, Art. 4, Sec. 19 (Minn. Stat. § 152.0263, subd. 5, or successor statute).

302. No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. See State Legislation, Art. 1, Sec. 9 Minn. Stat. § 342.09, subd. 1 (7)(b)(9) or successor statute.

Section 4: Penalty.

A violation of this ordinance shall be a petty misdemeanor punishable by a fine of up to \$300. Violations of this ordinance shall be prosecuted by the County Attorney. Nothing in this ordinance prohibits the County from seeking prosecution for an alleged violation.

Section 5: Severability.

If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

Section 6: Effective Date.

This ordinance shall be in full force and effect immediately from and after its passage and publication as required by law.

Approved and signed this 12th Day of December, 2024

Published in the
Owatonna Peoples Press
January 9, 2025
1442426