



City Council Memorandum

To: Mayor Fasbender & City Councilmembers
From: City Administrator Dan Wietecha
Date: August 7, 2023
Item: Marijuana Usage in Parks and Public Spaces

Council Action Requested:

Refer topic of marijuana usage in parks and public spaces to Parks & Recreation Commission for review and recommendation.

Background Information:

The state’s new recreational marijuana law allows marijuana use only in private residences, on private property with the permission of the property owner or where the state has licensed on-site consumption (which is currently only in beverages at a bar). It does not allow the use of adult use cannabis in any form in public parks, sidewalks, or other outdoors public spaces. However the state law has no *penalty* for violating this provision, so it authorizes cities to adopt an ordinance which penalizes it as a petty misdemeanor.

In 2007, the City Council adopted a “tobacco free” policy prohibiting tobacco in City parks. This policy could be updated as an enforceable ordinance, including marijuana. I recommend this be referred to the Parks & Recreation Commission (they are about to review some other ordinances/policies regarding the boat dock as well as consistency across parks). Questions to pose to the Commission would include whether marijuana should be prohibited in parks, whether it should be prohibited on sidewalks or other outdoors public spaces, and if restrictions should be limited to smoking.

Financial Impact:

Not applicable

Committee Discussion:

Not applicable

Attachments:

Not applicable