

ORDINANCE AMENDING CHAPTER 5, SECTION 5.35, SUBD. 10 OF THE MANKATO CITY CODE RELATING TO TOBACCO

WHEREAS, the city has been approached regarding the location of a Medical Cannabis Dispensary which is heavily regulated by the State of Minnesota and not similar to a general use dispensary as those individuals with a prescription are only allowed in such facility; and

WHEREAS, amendments are being requested to reflect Minnesota Statute 152.22-152.37.

NOW THEREFORE BE IT ORDAINED by the City Council for the City of Mankato that Mankato City Code, Chapter 5, Section 5.35, Subd. 10 be and hereby are amended as follows:

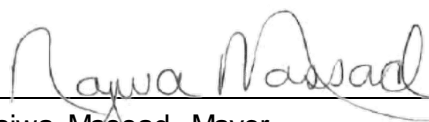
Sec. 5.35. Tobacco.

Subd. 10. Exceptions and Defenses.


- A. Nothing in this Section shall prevent the providing of tobacco or tobacco products and tobacco-related devices to a person under the age twenty-one (21) as part of a lawfully recognized religious, spiritual or cultural ceremony. It shall be an affirmative defense to the violation of this Section for a person to have reasonably relied on proof of age described by state law.
- B. A distribution facility in the form of a retail store that sells and distributes medical cannabis and medical cannabis products as defined, authorized, and regulated by Minnesota Statute Sections 152.22-152.37, and Chapter 4770 of Minnesota Rules is an exception to this section.

This Ordinance shall, in accordance with the provisions of Section 2.14 and 5.06 of the Mankato City Charter, become effective thirty (30) days after publication of notice of its adoption.

Adopted this 26th day of July 2021.



Najwa Massad, Mayor

Attest: 
Renae Kopischke, MMC
City Clerk