

ORDINANCE NO. 1347

AN ORDINANCE PROHIBITING THE CONSUMPTION OR SMOKING OF CANNABIS IN PUBLIC PLACES

BE IT ORDAINED by the Common Council of the City of Spearfish that Chapter 11, Article I of the Revised Ordinances of the City of Spearfish is hereby amended by adding new Section 11-2—with ~~strikethrough~~ indicating text to be deleted, underline indicating text to be added, and the remainder of the Article left unaffected—as follows:

Chapter 11. Miscellaneous Offenses

Article I. In General

* * *

Sec. 11-2. Consumption or smoking of cannabis in public places prohibited.

(a) It is unlawful for any person to consume or smoke cannabis in any public place including parks, sidewalks, streets, alleys, rights-of-way, sports complexes, publicly owned property, or in any place that is open to the public.

(1) A place open to the public is a place to which the public is invited, including in, on, or around any place of business, parking lot, or place of amusement or entertainment, whether or not a charge of admission or entry thereto is required and includes the elevator, lobby, halls, corridors, and areas open to the public of any store, office, or multifamily residential building even if such place charges an admission or limits the number of admittees.

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Severability. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Effective Date. This Ordinance will become effective 20 days following publication, which will occur after the ordinance receives second and final reading by the City Council and is signed by the Mayor.

Dated this ___ day of _____, 2021.

CITY OF SPEARFISH

By: _____

(Seal)

Dana Boke, Its Mayor

Attest:

Michelle DeNeui, Finance Officer

First Reading:

Second Reading:

Published:

Effective: