### **Public Notice**

(First Date of Pub.: Wed., Aug. 16, 2023) (Dates of Pub.: Wed., Aug. 16, 23, 30, Sept. 6, 13, 20, 2023)

### NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN, that default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: November 28, 2016

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$40,000,00 MORTGAGOR(S): Barbara K. Warlop, unmarried MORTGAGEE: Wells Fargo Bank, N.A.

LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED

ON THE MORTGAGE: Wells Fargo Bank, N.A.

SERVICER: Wells Fargo Bank, N.A.

DATE AND PLACE OF FILING: Filed December 9, 2016, Lyon County Recorder, as Document Number ER04865

LEGAL DESCRIPTION OF PROPERTY: LOT SIX (6), BLOCK ONE (1) OF MAPLE AND SECOND STREET

ADDITION TO THE CITY OF MARSHALL, LYON COUNTY, **MINNESOTA** 

PROPERTY ADDRESS: 117 W Maple St, Marshall, MN 56258 PROPERTY IDENTIFICATION NUMBER: 27-520006-0 COUNTY IN WHICH PROPERTY IS LOCATED: Lyon THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON

THE DATE OF THE NOTICE: \$41,724.12 THAT all pre-foreclosure requirements have been complied with; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof;

PURSUANT, to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as

### DATE AND TIME OF SALE: October 5, 2023, 10:00AM

PLACE OF SALE: Sheriff's Main Office. 611 West Main Street. Marshall, MN 56258

to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys fees allowed by law, subject to redemption within 6 Months from the date of said sale by the mortgagor(s) the personal representatives or assigns.

TIME AND DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property, if the mortgage is not reinstated under section 580.30 or the property is not redeemed under section 580.23, is 11:59 p.m. on April 5, 2024, or the next business day if April 5, 2024 falls on a Saturday, Sunday or legal holiday.

"THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES SECTION 582.032 DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN 5 UNITS, ARE NOT PROPERTY USED FOR AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Dated: August 8, 2023 Wells Fargo Bank, N.A. Mortgagee

LOGS Legal Group LLP Tracy J. Halliday - 034610X LOGS Legal Group LLP Attorneys for Mortgagee 1715 Yankee Doodle Road, Suite 210 Eagan, MN 55121 (952) 831-4060

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR

(First Date of Pub.: Wed., Sept. 13, 2023) (Dates of Pub.: Wed., Sept. 13, 2023) **ORDINANCE NO. 383** 

### AN ORDINANCE AMENDING SECTION 8 OF THE CITY CODE TO PROHIBIT THE USE OF CANNABIS AND CANNABIS PRODUCTS **IN PUBLIC PLACES**

The City of Tracy does ordain:

The City Council of the City of Tracy hereby supplements Section 8 of the Tracy City Code by adding a new section, Section 8 76 as follows:

"Section 8.76 Prohibition of Use of Cannabis and Cannabis Products in Public Places

### Subd. 1. Definitions.

- For purposes of this article, the terms "cannabis flower", "cannabis products", "lower-potency hemp edibles", and "hemp-derived consumer products" shall have the definitions given to them in Minnesota Statutes, section 342.01,
- For purposes of this article, "public place" is defined as any indoor or outdoor area that is used or held out for use by the public whether owned or operated by public or private interests, which includes, but is not limited to any public street, public sidewalk, public easement, publicly owned property, public park, publicly owned or operated parking lot or parking facility. Pursuant to Minnesota Statutes, section 152.0263, subd. 5, "public place" does not include the following: (i) a private residence, including the person's curtilage or yard, (ii) private property not generally accessible by the public; and (iii) the premises of an establishment or event licensed to permit on-site consumption of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.
- For purposes of this article, "electronic cigarette" is defined as any electronic-smoking device that can be used to deliver nicotine or any other substances to the person inhaling from the device. The term shall include such devices whether they are manufactured as electronic cigarettes, electronic cigars, electronic pipes or any other product name, including but not limited to "mods", "vape pens" "vapes", "tank systems", and "electronic nicotine delivery systems (ENDS)".
- (D) For purposes of this article, "smoking" is defined as inhaling or exhaling smoke or vapor from any instrumentality, including but not limited to any cigar, cigarette, pipe, rolling papers, joint, hookah pipe, or an operating electronic cigarette.

#### Subd. 2. Use of Cannabis and Cannabis Products Prohibited in **Public Places.**

- (A) No person shall use, smoke, or ingest cannabis flower, cannabis products, lower-potency hemp edibles, or hempderived consumer products in a public place.
- A violation of this section shall be a petty misdemeanor offense, punishable by a fine of \$200.
- Subd. 3. Repeal of Ordinance No 382. This ordinance hereby repeals Ordinance No.\_\_\_\_- An Emergency Ordinance Prohibiting the Use of Cannabis and Cannabis Products in Public Places, passed on July 28, 2023.
- **Subd. 4.** Pursuant to Section 3.05 of the Tracy City Charter, this ordinance shall become effective 30 days after passage and publication."

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 11th DAY OF SEPTEMBER 2023.

APPROVED: Pam Cooreman, Mayor

ATTESTED: Shane Daniels, City Clerk/Administrator (First Date of Pub.: Wed., Sept. 13, 2023) (Dates of Pub.: Wed., Sept. 13, 2023)

#### **STATE OF MINNESOTA** LYON COUNTY BOARD OF COMMISSIONERS **NOTICE OF ADOPTION OF** ORDINANCE NO. 24 REGULATING THE USE OF CANNABIS AND CANABIS DIRIVED PRODUCTS IN PUBLIC PLACES

Please Take Notice: The Lyon County Board of Commissioners, held a public hearing on the proposed cannabis ordinance restricting use of cannabis in public places on September 5, 2023. After hearing public comment, Commissioner Andries moved and Commissioner Draper seconded a motion to adopt Ordinance No. 24. The motion was duly adopted on a unanimous roll call vote.

A full copy of the notice is printed below. Copies may also be obtained by contacting Loren Stomberg, Lyon County Administrator, 607 W. Main Street, Marshall, MN 56258, or by email to lorenstomberg@ co.lvon.mn.us

**COUNTY OF LYON** STATE OF MINNESOTA

ORDINANCE No.: 24 ORDINANCE REGULATING THE USE OF CANNABIS AND CANNABIS DERIVED PRODUCTS IN PUBLIC **PLACES** 

THE LYON COUNTY BOARD OF COMMISSIONERS HEREBY **ORDAINS AS FOLLOWS:** 

### **SECTION 1. PURPOSE AND INTENT**

This Ordinance is adopted by Lyon County (hereinafter "the County") 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 the County.

Minnesota Session Law 2023, Chapter 63, effective in relevant part August 1, 2023, establishes that the adult use, possession and personal growing of cannabis is legal subject to the requirements and restrictions of Minnesota Statutes.

Minnesota Session Law 2023, Chapter 63, Art. 4, section 19, codified as Minn. Stat. § 342.0263, subd. 5 authorizes the adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis.

The County intends to be proactive in protecting public health and safety by enacting an ordinance that will mitigate threats presented to the public and public health by the public use of cannabis. The County recognizes the risks that unintended access and use of cannabis products and exposure to cannabis and its effects present to the health, welfare, and safety of members of the public and in particular the youth of the 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) "Cannabis Flower" shall have the same meaning as defined in Minn. Stat. § 342.01 subd. 16, as amended from time to
- (b) "Cannabis Products" shall have the same meaning as defined in Minn. Stat. § 342.01 subd. 20, as amended from
- (c) "Hemp derived consumer products" shall have the same meaning as defined in Minn. Stat. § 342.01 subd. 37, as amended from time to time.
- "Lower-potency hemp edibles" shall have the same meaning as defined in Minn. Stat. § 342.01 subd. 50, as amended from
- (e) 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.

- 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."
- (g) Exceptions to the definition of 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.
- (h) 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 hempderived 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**

Subd. 1. 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 Minnesota Session Law 2023, Chpt. 63, Art. 1, Sec. 9 codified as Minn. Stat. § 342.09, subd. 1(2) and 342.09, subd.1 (7) (iii) and Art. 4, Sec. 19 codified as Minn. Stat. § 152.0263, subd. 5. Subd. 2. 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. Minnesota Session Law 2023, Chpt. 63, Art. 1, Sec. 9 codified as Minn. Stat. §342.09, subd. 1 (7)(b)(9).

### **SECTION 4. PENALTY**

Subd. 1. Criminal Penalty. A violation of this ordinance shall be a petty misdemeanor punishable by a fine of up to \$300. Nothing in this ordinance shall prohibit the United States, the State of Minnesota, or the County from investigating or prosecuting any other activity that is a crime under any other federal or state statute or county ordinance.

Subd. 2. An alleged violation or violation of this ordinance may be investigated by a peace officer as defined in Minn. Stat. 626.84, subd. 1. Any alleged violation or violation of this ordinance shall be prosecuted by the Office of the Lyon County Attorney.

### **SECTION 5. SEVERABILITY**

If any section or provision of this ordinance is held invalid, such invalidity will not affect any other section or provision 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.

ADOPTED by the Lyon County Board of Commissioners this 5th day of September, 2023.

Rick Anderson, County Board Chair

(First Date of Pub.: Wed., Aug. 30, 2023) (Dates of Pub.: Wed., Aug. 30, Sept. 6, 13, 20, 27, Oct. 4, 11, 2023)

### NOTICE OF MORTGAGE FORECLOSURE

SALE THE RIGHT TO VERIFICATION OF THE **DEBT AND IDENTITY OF** THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY

NOTICE IS HEREBY GIVEN: That Default has occurred in the conditions of the following described mortgage:

LAW IS NOT AFFECTED BY THIS ACTION.

DATE OF MORTGAGE: 09/18/2014 ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$89,381.00

MORTGAGOR(S): Nathaniel O. Goodfellow, an unmarried man

MORTGAGEE: Navy Federal Credit Union DATE AND PLACE OF FILING: 09/24/2014 as Doc. No. 204159 in the Office of the County Recorder in Lyon County, Minnesota.

TAX PARCEL I.D. NO.: 27-604011-0 LEGAL DESCRIPTION OF PROPERTY: That part of the NW 1/4 NW 1/4 of Section 9 Township 111N Range 41W described as

follows, to wit:

Commencing at a point 341 feet north and 357.2 feet west from the southeast corner of NW 1/4 NW 1/4 of said Section 9 Township 111N Range 41; running thence north and parallel with the east line of said 40 acres a distance of 131.7 feet; thence west at right angles to last line a distance of 50 feet; thence south and at right angles to last line

a distance of 131.7 feet; thence east and at right angles to last line a distance of 50 feet to the place of beginning. Abstract Property

STREET ADDRESS OF PROPERTY: 110 Maple St W, Marshall, MN 56258 COUNTY IN WHICH PROPERTY IS

LOCATED: Lvon LENDER OR BROKER AND MORTGAGE ORIGINATOR: Navy Federal Credit Union RESIDENTIAL MORTGAGE SERVICER:

Navy Federal THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE: \$101,222.46 AS OF 9/2/2023.

THAT no action or proceeding has been instituted at law to recover the debt secured by said mortgage, or any part thereof; that there has been compliance with all pre-foreclosure notice and acceleration requirements of said mortgage, and/ or applicable statutes. Pursuant to the power of sale contained in said Mortgage, the Mortgage will be foreclosed, and the mortgaged premises will be sold by the Sheriff of Lyon County, Minnesota at public auction as follows:

DATE AND TIME OF SALE: 10/26/2023 at 10:00 AM

PLACE OF SALE: Lyon County Sheriff's Office, 611 West Main St., Marshall, MN 56258 to pay the debt then secured by said mortgage and taxes, if any actually paid by the mortgagee, on the premises and the costs and disbursements allowed by law.

The time allowed by law for redemption by said Mortgagor(s) or Mortgagor's personal representatives or assigns is six (6) months.

TIME AND DATE TO VACATE PROPERTY: If the mortgage is not reinstated under Minn. Stat. §580.30 or redeemed under Minn. Stat. §580.23, the mortgagor must vacate the mortgaged property by 11:59 p.m. on 4/26/2024, or the next business day if 4/26/2024 falls on a Saturday, Sunday or legal holiday.

MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE:

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS THAT MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL **DWELLING OF LESS THAN FIVE** UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Publication to begin the week of: 8/30/2023 Navy Federal Credit Union, Mortgagee/ Mortgagee Assignee The Sayer Law Group, P.C., By Brian G. Sayer, Attorney for Mortgagee/Mortgagee

Assignee 925 E 4th St., Waterloo, IA 50703

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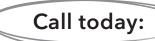


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## **Public Notice**

(First Date of Pub.: Wed., Sept. 13, 2023) (Dates of Pub.: Wed., Sept. 13, 2023) **ORDINANCE NO. 385** AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE OPERATION OF CANNABIS **BUSINESSES IN THE CITY** 

The City of Tracy does ordain: SUBD. 1. BACKGROUND.

- The Minnesota Legislature recently enacted, and the Governor signed, 2023 Minnesota Session Laws, Chapter 63 - H.F. No. 100 ("Act"), which is comprehensive legislation relating to Cannabis including, but not limited to, the establishment of the Office of Cannabis Management ("OCM"); legalizing and limiting the possession and use of cannabis and certain hemp products by adults; providing for the licensing, inspection, and regulation of Cannabis Businesses and hemp businesses; taxing the sale of cannabis flower, cannabis products, and certain hemp products; establishing grant and loan programs; amending criminal penalties; providing for expungement of certain convictions and providing for the temporary regulation of certain edible cannabinoid products.
- The Act requires that on or before October 1, 2023, every person or entity selling edible cannabinoid products to consumers must register with the commissioner in a form and manner established by the commissioner. After October 1, 2023, the sale of edible cannabinoid products by a person or entity that is not registered is prohibited.
- With respect to Cannabis Businesses, which, under the Act, does not include lower- potency hemp edible manufacturer or lower-potency hemp edible retailer, the Act provides local units of government certain authority related to Cannabis Businesses, including the authority to (1) require local registration of certain Cannabis Businesses operating retail establishments, (2) adopt reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses, provided that such restrictions do not prohibit the establishment or operation of a Cannabis Businesses, (3) limit the number of certain Cannabis Businesses based on the population of the community, and (4) prohibit the operation of a Cannabis Businesses within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
- The Act requires the OCM, which will be established effective July 1, 2023, to work with local governments to develop model ordinances for reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses. The Act also requires the OCM to establish additional rules and regulations relating to the operation of Cannabis Businesses. The City will benefit from reviewing and analyzing the OCM's model ordinances, rules and regulations before making any decisions related to the regulation of Cannabis Businesses in the City.
- Section 342.02 et. seq. established by the Act directs the OCM to make rules, establish policy and exercise its regulatory authority over both the cannabis industry, as well as the lower potency hemp products and the hemp consumer products.
- Section 342.06 established by the Act requires to OCM to create and approve product categories of cannabis flower, cannabis products, lower-potency hemp edibles, and hempderived consumer products for retail sale.
- Section 342.06 established by the Act requires the OCM to establish limits on the total THC allowed of cannabis flower, in cannabis products, and in hemp-derived consumer products and prohibits approval of certain forms of cannabis product, lower-potency hemp edible, or hemp-derived consumer product.
- Section 342.07 established by the Act requires the OCM to establish certification, testing, and labeling requirements for the methods used to grow new cannabis plants or hemp plants, including but not limited to growth from seed, clone, cutting, or tissue culture.
- Section 342.07 established by the Act requires the OCM to establish best practices for: (1) the cultivation and preparation of cannabis plants; and (2) the use of pesticides, fertilizers, soil amendments, and plant amendments in relation to growing cannabis plants.
- Section 342.07 established by the Act requires the OCM to regulate businesses that manufacture, process, sell, handle, or store an edible cannabis product or lower-potency hemp edible and will require, for most of those businesses to obtain an edible cannabinoid product handler endorsement.
- Section 342.08 established by the Act requires the OCM to provide regulations establishing energy standards, disposal of waste and addressing odor.
- The Act amended Minnesota Statutes §340A.412, subd. 14 to allow, effective the day after the final enactment of the bill (the governor's signature), exclusive liquor stores to sell edible cannabinoid products as that term is defined in current statute, 151.72, subd. 1.
- M. Section 342.13 established by the Act contains a provision that allows for a City Council that plans to conduct studies that has held or is considering adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of a cannabis business, to hold a hearing on and adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety, and welfare of its citizens until January 1, 2025. This provision only relates to the Cannabis Businesses, which does not include having the ability to study the lower potency hemp business or hemp consumer products, even though the newly created OCM will be issuing licenses related to the lower potency hemp products, as well as engaging in rule making related to both the lower potency hemp products and the hemp consumer products.
- Given the uncertainty regarding the model ordinances to be developed by the OCM and the broad scope of the changes to Minnesota law brought about by the Act, the City desires to adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens and to conduct a study for the purpose of considering the adoption or amendment of reasonable restrictions on the time, place and manner of the operation of Cannabis Businesses as well as the other regulations local units of government may adopt under the Act.

On September 11, 2023, after providing at least 10 days published notice, the City Council held a public hearing regarding the consideration and adoption of an interim ordinance prohibiting the operation of Cannabis Businesses within the City.

#### SUBD. 2. DEFINITIONS.

For purposes of this Ordinance, the following terms shall have the meaning given them in this section

(a) "Act" means 2023 Minnesota Session Laws, Chapter 63 (H.F. No.

(b) "Cannabis Business" has the meaning given the term in Minnesota Statutes, section

342.01, subdivision 14.

(c) "City" means the City of Tracy.

(d) "Edible Cannabinoid Product" has the meaning given the term in Minnesota Statutes.

section 151.72, subdivision 1(f).

(e) "OCM" means the Office of Cannabis Management, established as set forth in Minnesota

Statutes, section 342.02, subd. 1.

(f) "Ordinance" means this interim ordinance, which is adopted pursuant to Minnesota Statutes, section 462 and 342.13(e).

#### SUBD. 3. FINDINGS.

- The City Council finds there is a need to study (i) Cannabis Businesses and (ii) the impact of those businesses, as related to allowed land uses and zoning, in order to assess the necessity for and efficacy of regulation and restrictions in order to protect the public health, safety, and welfares of its residents.
- The study will allow the City Council to determine the appropriate changes, if any, that it should make to the Tracy City Code, including any necessary zoning changes.
- The time will allow for any state agency rulemaking related to licensing Cannabis Businesses; and to create its model ordinances which will further aid the Council in studying and considering restrictions on the operation of Cannabis Businesses and THC Specialty Providers, identified as Lower Potency Hemp Businesses in the Act.
- The City Council therefore finds that there is a need to adopt a city-wide moratorium on Cannabis Businesses while City staff studies the issue.

#### SUBD. 4. MORATORIUM.

- Moratorium. A moratorium is hereby imposed regarding the operation of a Cannabis Business within the City. During the term of this Ordinance, no business, person, or entity may establish or operate a Cannabis Business within the jurisdictional boundaries of the City. The City shall not accept, process, or act on any application, site plan, building permit, zoning request, or other approval, including any requested confirmation, certification, approval, or other request from the OCM or other governmental entity requesting City review of any application or proposal for a business proposing to engage in the operation of a Cannabis Business.
- This moratorium does not apply to the selling, testing, manufacturing, or distributing of products related to the Medical Cannabis Program as administered by the Minnesota Department of Health, provided that such activity is done in accordance with the regulations and laws of Minnesota regarding Medical Cannabis.

SUBD. 5. STUDY. The City Council hereby authorizes and directs the City Administrator to have City staff conduct a study regarding the adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses, as well as the other potential local regulations allowed under the Act, and report to the City Council on the potential regulation of Cannabis Businesses. The study must include a review of the model ordinances the OCM is directed to draft under Minnesota Statutes, section 342.13(d), an analysis of potential setback regulations allowed under Minnesota Statues, section 342.13(c), and such other matters as staff may determine are relevant to the City Council's consideration of this matter. The report shall include the City staff's recommendations on whether the City Council should adopt regulations and, if so, the recommended types of regulations.

SUBD. 6. ENFORCEMENT. The City may enforce this Ordinance by mandamus, injunctive relief, or other appropriate civil remedy in any court of competent jurisdiction. The City Council hereby authorizes the City Administrator, in consultation with the City Attorney, to initiate any legal action deemed necessary to secure compliance with this Ordinance. A violation of this

Ordinance is a misdemeanor offense and may result in the City reporting the violation to the OCM if relevant to OCM licensing. During the term of the moratorium, it is a violation of this Ordinance for any business, person, or entity to establish or operate a Cannabis Business within the City.

SUBD. 7. TERM. Unless earlier rescinded by the City Council, this Ordinance shall become effective on the effective date and after adoption and publication and shall remain in effect until January 1, 2025. This Ordinance may be repealed earlier upon the effective date of an ordinance

adopting or amending reasonable restrictions on the time, place and manner of the operation of a

Cannabis Business within the City or by resolution of the City Council terminating this Ordinance prior to the expiration date.

SUBD. 8. EFFECTIVE DATE. Pursuant to Section 3.05 of the Tracy City Charter, this Ordinance shall become effective 30 days after passage and publication.

SUBD. 9. SEVERABILITY. Every section, provision, and part of this Ordinance is declared

severable from every other section, provision, and part thereof. If any section, provision, or part

of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall

not invalidate any other section, provision, or part of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 11th DAY OF SEPTEMBER 2023.

APPROVED: Pam Cooreman, Mayor

ATTESTED:

Shane Daniels, City Clerk/Administrator

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(First Date of Pub.: Wed., Sept. 13, 2023) (Dates of Pub.: Wed., Sept. 13, 2023) **ORDINANCE NO. 384** 

AN ORDINANCE AMENDING SECTION 4.70 OF THE CITY CODE TO PROHIBIT THE USE OF CANNABIS AND CANNABIS PRODUCTS IN CITY PARKS

The City of Tracy does ordain:

The City Council of the City of Tracy hereby amends City Code 4.70, as follows:

"Subd. 1 **DEFINITIONS.** The terms stated below shall have the definitions specified in this section.

- "Park" shall mean and include any area used as park, playground area, bike trail, swimming pool, recreation center or facility, or any other area in the City owned or used by the City and devoted or designated to or for active or passive recreation either on a temporary or permanent basis.
- B. "Alcoholic beverage" shall mean any beverage containing more than one-half of one percent alcohol by volume.
- C. "Smoking" shall mean inhaling or exhaling smoke or vapor from any instrumentality, including but not limited to any cigar, cigarette, pipe, rolling papers, joint, hookah pipe, or an operating electronic cigarette.
- D. "Electronic cigarette" shall mean any electronic-smoking device that can be used to deliver nicotine or any other substances to the person inhaling from the device. The term shall include such devices whether they are manufactured as electronic cigarettes, electronic cigars, electronic pipes or any other product name, including but not limited to "mods", "vape pens", "vapes", "tank systems", and "electronic nicotine delivery systems (ENDS)". E. "Cannabis flower", "cannabis products", "lower-potency hemp edibles", and "hemp-derived consumer products" shall have the definitions given to them in Minnesota Statutes, section 342.01, as
- F.-1. "Recreation program" shall mean any activity that is organized or recognized as a viable recreational program by the Community Education Director or City Administrator of the City of Tracy, including but not necessarily limited to ice hockey, ice skating, flag football, tennis and softball league games.

Subd. 5. PROHIBITED ACTIVITIES. The following activities are prohibited in parks:

- Digging of any kind, or the cutting, breaking off or any other damage to trees, bushes, plants or other growth.
- The use of fireworks or firearms of any type, including fireworks whose use may otherwise be legal by state law in other areas of the City of Tracy, except for fireworks displays authorized by law via permit.
- Smoking or any other use of tobacco in any building, bathroom, or the Central Park ice rink shelter, or in or within 10 feet of the Central Park Bandshell or any covered picnic
- Climbing or jumping or any building, picnic shelter, backstop, fence, tree or picnic table. Use or display of any alcoholic beverages, including 3.2
- Use of the fenced basketball/tennis courts area at Central Park for activities other than playing basketball or tennis.
- Removing picnic tables from any park without having first obtained the permission of, and paid the appropriate fees to the appropriate City official
- Committing or suffering to allow to be committed, any act otherwise prescribed by law.
- Using a park or any area therein while it is closed, entering or attempting to enter any locked building or building marked as closed, or entering a park after the person has been denied the right to do so as otherwise provided in this Section.
- Violate any posted or displayed park rule, or fail to abide by any restriction as to park use which was made as a conditions of any use granted to a person for a park or area thereof.
- Intimidating, or attempting to intimidate, by force of acts or words or otherwise, any person, including a City Public Works employee, into refraining from lawfully entering or remaining in a park or using any facilities therein, or unreasonably denying, or attempting to deny, others the ability to use, or share the use of, any park area or facilities or equipment in a park
- Use of motorized vehicles on any bike trail.

M. Using, smoking, or ingesting cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.

### Subd. 9. VIOLATIONS.

- A violation of any provision in paragraphs C, D, E, or M of Subd. 5 of this Section shall be a petty misdemeanor.
- A violation of any provision in this Section other than as specified in subparagraph A, above, shall be a misde-

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 11th DAY OF SEPTEMBER 2023.

APPROVED:

Pam Cooreman, Mayor

ATTESTED:

Shane Daniels, City Clerk/Administrator

(First Date of Pub.: Wed., Sept. 13, 2023) (Date of Pub.: Wed., Sept. 13, 2023)

LYON COUNTY BOARD OF COMMISSIONERS Tuesday, August 15, 2023

A Summary of the Proceedings of the Lyon County Board

9:00 a.m. pursuant to notice the Lyon County Commissioners met with the following members present: Commissioners Graupmann, Anderson, Crowley, Draper and Andries. Also present: Administrator Stomberg and County Attorney Wikelius.

MSP to approve agenda as presented.

MSP to approve the consent agenda as presented.

MSP to approve the resolution to extend the Lyon County Comprehensive Water Management Plan until December 31, 2027 and authorize the Board chair and County Administrator to sign the resolution.

MSP to appoint Mitch Kling and Bill Ufkin to the Lincoln Pipestone Rural Water Board. MSP to approve the \$20 fee for recording of the ordinance and

certificates of filings. MSP to set the fee for solar at \$250,000 for the first megawatt

and \$50,000 each additional megawatt as cash payment for the fee schedule MSP to use the buffer enforcement fund not to exceed \$10,000 for a

study on CD 12. MSP to approve the hiring for the Crime Victim Services Coordinator

MSP to approve Fair Board to sell advertisement space to be placed on the back wall of the hoop barn.

MSP to go into closed session. MSP to approve County Administrator, Loren Stomberg, annual

salary to \$144,944. Meeting adjourned at 12:10 p.m.

A copy of these proceedings are available in the Countv Administrator Office of Lyon County and also available at www.lyonco.