

Ordinance No. _____-__

Ordinance amending city code chapter 8 relating to cannabis business registration

The City of St. Louis Park does ordain:

SECTION 1. **The St. Louis Park City Code, Chapter 8, Article II, Division 3 is hereby amended by adding:**

Subdivision XVII. Retail Registration for Cannabis and Hemp Products

Sec. 8-479.

(a) Findings and Purpose. City of St. Louis Park makes the following legislative findings:

- 1) The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes the City of St. Louis Park to protect the public health, safety, welfare of St. Louis Park residents by regulating cannabis businesses within the legal boundaries of St. Louis Park.

(b) Authority & Jurisdiction. The City of St. Louis Park has the authority to adopt this ordinance and to apply the following state statutes:

- 1) Minn. Stat. §342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.
- 2) Minn. Stat. §342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- 3) Minn. Stat. §152.0263, Subd. 5, regarding the use of cannabis in public places.
- 4) Minn. Stat. § 412.221, regarding the authority of the City to protect the public health, safety, order, convenience, and general welfare.

(c) The Ordinance shall be applicable to the legal boundaries of St. Louis Park.

Sec. 8-480. Severability.

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Sec. 8-481. Enforcement

- (a) The City Manager or designee is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.
- (b) Nothing in this section shall restrict or limit the ability of the City take any other enforcement action in accordance with law, including but not limited to seeking injunctive relief in a court of competent jurisdiction.

Sec. 8-482. Definitions. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.

- (a) Cannabis Cultivation: A cannabis business licensed to:
 - 1) grow cannabis plants within the approved amount of space from seed or immature plant to mature plant;
 - 2) harvest cannabis flower from mature plant;
 - 3) package and label: immature plants, seedlings, and cannabis flower for sale to other cannabis businesses;
 - 4) transport cannabis flower to a cannabis manufacturer located on the same premises; and
 - 5) perform other actions approved by the OCM.
- (b) Cannabis Retail Businesses: A Cannabis Retailer location and the retail location(s) of a mezzobusiness, microbusiness, medical combination businesses, excluding lower-potency hemp edible retailers.
- (c) Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.
- (d) Retail Registration: An approved registration issued by the City of St. Louis Park to a state-licensed Cannabis Retail Business or a Lower-potency Hemp Edible Retail Business.
- (e) State License: An approved license issued by the OCM to a cannabis retail business.
- (f) Temporary Cannabis Event: A temporary event organized within the City by the holder of a Cannabis Event Organizer license.

Sec. 8-483. Registration of Cannabis and Lower-Potency Hemp Edible Retail Business.

- (a) No individual or entity may operate a state-licensed cannabis retail business or lower-potency hemp edible retail business within St. Louis Park without first registering with the City of St. Louis Park.
- (b) Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of up to \$2,000 for each violation as authorized in Minn. Stat. §342.22 subd. 5.

Sec. 8-484. Compliance Checks Prior to Retail Registration

- (a) Prior to issuance of a cannabis retail business registration, the City of St. Louis Park shall conduct a preliminary compliance check to ensure compliance with local ordinances and state law and OCM rules regarding applicable operation requirements and lawful products.

Sec. 8-485. Registration & Application Procedure

- (a) Fees.
 - 1) The registration fee for cannabis and lower-potency hemp edible retail businesses is established in the Appendix A fee schedule and shall be charged to applicants depending on the type of cannabis businesses.
 - 2) The initial registration fee shall include the first two (2) years of business registration. The registered business must still submit all necessary information for registration renewal at the end of the first year, but shall not have to pay an additional fee at that time.
 - 3) The renewal retail registration fee shall be charged at the time of the second renewal and each subsequent renewal thereafter.
- (b) Application Submittal. The City shall issue a retail registration to a state-licensed cannabis or lower-potency hemp edible retail business that adheres to the requirements of Minn. Stat. §342.22.
 - 1) An applicant for a retail registration or registration renewal shall fill out an application form, as provided by the City. Said form shall include, but is not limited to:
 - i. Full name of the property owner and applicant;
 - ii. Address, email address, and telephone number of the applicant;
 - iii. The address and parcel ID for the property which the retail registration is sought;

- iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. § 342.13.
- 2) The applicant shall include with the form:
 - i. the registration fee;
 - ii. a copy of a valid state license or written notice of OCM license preapproval;
- 3) Once an application is considered complete, the City Manager or designee shall process the application and notify the applicant of approval or denial.
- 4) The application fee is non-refundable.

(c) Application Approval

- 1) A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted by Section 8-489.
- 2) A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to prove it meets the requirements of this ordinance.
- 3) A state-licensed cannabis retail business application that meets the requirements of this subdivision shall be approved.

(d) Annual Compliance Checks.

- 1) The City shall complete at minimum one compliance check per calendar year of every registered business to assess if the business meets age verification requirements, as required under state law and this subdivision.
- 2) Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.
- 3) Nothing in this Section shall limit the ability of the City to conduct further announced or unannounced compliance checks relating to any requirement of a business's license, registration, or lawful operation.

- (e) Location Change. A registered business shall be required to submit a new application for registration if it seeks to move to a new location still within the legal boundaries of the City. This will be treated as a renewal of its registration.

Sec. 8-486. Renewal of Registration.

- (a) The City shall renew an annual registration of a registered business at the same time OCM renews the registered businesses' license.
- (b) A registered business shall apply to renew registration on a form created by City.
- (c) A cannabis retail registration issued under this ordinance shall not be transferred.
- (d) The City may charge a renewal fee for the registration starting at the second renewal, as established in City's fee schedule.
- (e) The application for renewal of a retail registration shall include the items required under under Sec. 8-485(b).

Sec. 8-487. Suspension of Registration

- (a) When Suspension is Warranted. The City may suspend a registered business's registration if it violates Minn. Stat. Chapter 342 or the City Code, or poses an immediate threat to the health or safety of the public. The City shall immediately notify the registered business in writing the grounds for the suspension.
- (b) Notification to OCM. The City shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide the City and business a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.
- (c) Length of Suspension. A jurisdiction can wait for a determination from the OCM before reinstating a registration.
 - 1) The suspension of a business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.
 - 2) The City may reinstate a registration if it determines that the violations have been resolved.
 - 3) The City shall reinstate a registration if OCM determines that the violation(s) have been resolved.

Sec. 8-488. Civil Penalties. Subject to Minn. Stat. 342.22, subd. 5(e) the City may impose a civil penalty, as specified in the City's Fee Schedule, for registration violations, not to exceed \$2,000.

Sec. 8-489. Limiting of Registrations

The City shall limit the number of active registrations issued to any cannabis retailer, cannabis microbusiness, or cannabis mezzobusiness to not more than five (5) registrations in total.

Sec. 8-490. Hours of Operation

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 8 am and 10 pm Monday- Saturday and between 10 am and 10 pm Sunday.

Sec. 8-491. Temporary Cannabis Events

- (a) Permit Required. A permit is required to be issued and approved by the City prior to holding a Temporary Cannabis Event.
- (b) Hours of Operation. A temporary cannabis event may be open to the public only between the hours of 10 am to 10 pm.
- (c) Registration & Application Procedure. A permit fee, as established in City's fee schedule, shall be charged to applicants for Temporary Cannabis Events.
- (d) Application Submittal & Review. The City shall require an application for Temporary Cannabis Events.
 - 1) An applicant for a retail registration shall fill out an application form, as provided by the City. Said form shall include, but is not limited to:
 - i. Location of the proposed event;
 - ii. Full name of the property owner and applicant;
 - iii. Address, email address, and telephone number of the applicant;
 - 2) The applicant shall include with the form:
 - i. the permit fee;
 - ii. a copy of the OCM cannabis event license application, including all information required pursuant to Minn. Stat. §342.39 subd. 2.
 - 3) The application shall be submitted to the City Manager or designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

- 4) The permit fee shall be non-refundable.
- 5) On-site consumption shall be allowed at a Temporary Cannabis Event in a designated restricted-access area limited to only individuals who are at least 21 years of age. The designated on-site consumption area must not be visible from any public place. No consumption of alcohol or tobacco is allowed. On-site consumption may not cause an odor that can be detected by a person with a normal sense of smell from beyond the boundaries of the Temporary Cannabis Event
- 6) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.
- 7) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The City shall notify the applicant of the standards not met and basis for denial.

SECTION 2. The St. Louis Park City Code, Chapter 8, Article II title is hereby amended by adding the following underlined language:

Article II. Licenses and Registrations

SECTION 3. Fee Schedule.

The City of St. Louis Park City Code Appendix A – 2025 Fee Schedule, Building & Energy Department Section, is hereby amended by adding the underlined language as follows:

Business Registrations

Initial Cannabis Microbusiness \$0

Renewal Cannabis Microbusiness \$1000

Initial Cannabis Mezzobusiness \$500

Renewal Cannabis Mezzobusiness \$1000

Initial Cannabis Retailer \$500.

Renewal Cannabis Retailer \$1000

Initial Medical combination \$500

Renewal Medical combination \$1000

Initial Lower-Potency hemp edible retail \$125

Renewal Lower-Potency hemp edible retail \$125

Temporary Cannabis event \$ 250

SECTION 4. EFFECTIVE DATE AND TERM. This ordinance shall take effect immediately upon its passage and publication by law.

First reading	March 3, 2025
Second reading	March 17, 2025
Date of publication	March 27, 2025
Date ordinance takes effect	April 11, 2025

Reviewed for administration:

Adopted by the City Council _____

By _____
Kim Keller, City Manager

By _____
Nadia Mohamed, Mayor

Attest:

Approved as to form and execution:

Melissa Kennedy, City Clerk

Soren M. Mattick, City Attorney