

**CITY OF CHAMPLIN
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

**ORDINANCE AMENDING ARTICLE XIV. OF THE CITY CODE REGARDING
CANNABIS AND HEMP RETAIL BUSINESS REGISTRATION**

Section 1. Chapter 30, Article XIV of the Champlin City Code is hereby amended in its entirety to read as follows:

ARTICLE XIV. CANNABIS AND HEMP RETAIL BUSINESSES

Sec. 30-591. Purpose.

The purpose of this section is to implement the provisions of Minnesota Statutes, Chapter 342, (2024) which authorizes the city to protect the public health, safety, and welfare of its citizens by requiring registration and regulations of cannabis retail businesses and hemp retail businesses in accordance with Minnesota law.

Sec. 30-592. Definitions.

The definitions of words and phrases contained in Minnesota Statutes, Chapter 342, (2024 and as be amended hereafter from time to time) and the Minnesota Rules promulgated by the Office of Cannabis Management shall apply to this section unless defined differently herein. The following words and phrases shall have the meanings stated:

Cannabis Retail Business is a business that is licensed or required to be licensed by the State of Minnesota as a cannabis retailer, cannabis mezzobusiness with retail operations endorsement, cannabis microbusiness with retail operations endorsement, medical cannabis retailer, or medical cannabis combination business operating a retail location.

Hemp Retail Business is a business that is licensed or required to be licensed by the State of Minnesota as a lower-potency hemp edible retailer.

Sec. 30-593. Registration Required.

Operation of a cannabis business of the types established by Minnesota Statutes, section 324.10 within the city shall require a state license in accordance with Minnesota Statutes, section 342.14.

Sec. 30-594. Retail Registration.

(a) *Cannabis retail businesses.* It is unlawful for any person or legal entity to operate a cannabis retail business in the city without having a valid cannabis retail business registration on file with the city. A cannabis retail business that, directly or indirectly, keeps for retail sale, sells at retail, or otherwise disposes for remuneration any cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products without having a valid, in effect cannabis retail business registration on file with the city and license with applicable retail endorsement from the State of Minnesota, or during any time that a retail registration is suspended, shall be charged and shall pay a civil penalty for each separate sale, the amount of which shall be established and set forth in the city's fee schedule.

(b) *Hemp retail businesses.* It is unlawful for any person or legal entity to operate a hemp retail business in the city without having a valid hemp retail business registration on file with the city. A hemp retail business that, directly or indirectly, keeps for retail sale, sells at retail, or otherwise disposes for remuneration any lower-potency hemp edible without having a valid, in effect hemp retail business registration on file with the city and license from the State of Minnesota, or during any time that a retail registration is suspended, shall be charged and shall pay a civil penalty for each separate sale, the amount of which shall be established and set forth in the city's fee schedule. Consent to Registering Cannabis Businesses

Sec. 30-595. Limited Number of Cannabis Retail Businesses Allowed Within the City and Eligible for Registration.

No more than two (2) cannabis retail businesses are allowed to operate within the city. Registration of a cannabis retail business shall be subject to and conditioned upon the foregoing restricted number of allowed businesses.

Section 30-596. Registration.

Registration for either a cannabis retail business registration or a hemp retail business registration shall be made by fully completing and submitting to the City Clerk the registration form provided by the city. The registration form shall contain the following information and items:

- (a) Full name of the registrant;
- (b) Mailing address, email address, and telephone number for the registrant;

- (c) Name of the cannabis retail business or hemp retail business to be registered;
- (d) A copy of the cannabis retail business' or hemp retail business' current license or license preapproval issued by the Office of Cannabis Management;
- (e) The address and legal description of the property on which the cannabis retail business or hemp retail business is to operate;
- (f) Certification that the registrant/cannabis retail business/hemp retail business complies with the zoning requirements of this Code;
- (g) Signature of the registrant or the authorized agent of the legal entity registrant;
- (h) If the registrant is a legal entity, the following information shall be provided for the person designated as the general or primary manager on site: the full name, date of birth, mailing address, contact telephone number, email address; and
- (i) Any additional information the city deems necessary

Sec. 30-597. Registration Fee.

No cannabis retail business registration or hemp retail business registration shall be approved or renewed under this chapter until the applicable registration/renewal fee is paid in full. Registration/renewal fees shall be non-refundable upon payment and submission of a complete application for registration or renewal. The registration/renewal fees under this subdivision shall be in an amount set forth in the city's fee schedule.

Sec. 30-598. Action on the Requested Registration.

Registration of a cannabis retail business or hemp retail business will be approved by the City Clerk and in effect and only so long as the following requirements are met:

- (a) For a cannabis retail license, the registrant holds a valid license or license preapproval issued to the cannabis retail business by the Office of Cannabis Management. For a hemp retail license, the registrant holds a valid lower-potency hemp edible retailer license issued by the Office of Cannabis Management;
- (b) The registrant paid the total sum of the initial registration fee and first year renewal fee in the amounts required by the city's fee schedule;
- (c) During a preliminary compliance check, the cannabis retail business or hemp retail business is found to be in compliance with the zoning and performance standards for the business established in Title XV of this Code;

(d) The cannabis retail business or hemp retail business is current on all property taxes and assessments for the property on which the business is located; and

(e) The cannabis retail registration will not exceed the limitation on number of permitted cannabis retail business registrations set forth in this chapter. If the registration form is incomplete, the retail registration shall not be processed/issued and the City Clerk will send to the applicant notice of the deficiencies.

Sec. 30-599. Renewal of Retail Registration.

A registration for a cannabis retail business or hemp retail business shall be renewed when the Office of Cannabis Management renews the license of the business provided that the business submits to the city a renewal registration form provided by the city, the information and documentation required by this chapter for a new application, and payment of the applicable renewal retail registration fee established in the city's fee schedule.

Sec. 30-600. Conditions of Registration.

The following conditions apply to cannabis retail businesses with a valid cannabis retail registration, and hemp retail businesses with a valid hemp retail registration, from the city under this section:

(a) The registered business shall comply with all provisions of this chapter and the zoning regulations in this Code as applicable to the registered business;

(b) The registered business shall comply with all Minnesota laws and state licensing conditions regulating cannabis retail businesses and hemp retail businesses as may be applicable;

(c) No cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products shall be sold to any person under 21 years of age unless the person is 4 enrolled in the registry program and the cannabis business holds a medical cannabis retail endorsement.

(d) The display and storage of cannabis flower, cannabis products, lower-potency hemp edibles and hemp-derived consumer products shall be in accordance with Minnesota Statutes governing cannabis retail businesses.

(e) A hemp retail business shall keep all lower-potency hemp edibles, other than lower-potency hemp edibles that are intended to be consumed as a beverage, displayed behind a checkout counter where the public is not permitted or in a locked case. All lower-potency hemp edibles that are not displayed shall be stored in a secure area.

(f) Retail Hours of Operation.

(1) A cannabis business with a license or endorsement authorizing the retail sale of cannabis flower or cannabis products may not sell cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products before 10:00 a.m. or after 9:00 p.m. each day.

(2) A cannabis business with a license or endorsement authorizing the retail sale of cannabis flower or cannabis products may not be open to the public or sell any other products during the times when it is prohibited from selling cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products.

(g) Consumption or use of cannabis at or on the property of a cannabis event is prohibited. Consumption or use of cannabis at or on the property of a cannabis business is prohibited except:

(1) A cannabis microbusiness with an on-site consumption endorsement may permit on-site consumption of edible cannabis products and lower-potency hemp edibles in compliance with state law; and

(2) A cannabis business may permit on-site consumption of cannabis and hemp products by an employee in compliance with state law.

(h) Public View:

(1) All activities of a cannabis business businesses, including, without limitation, cultivating, growing, processing, displaying, manufacturing, selling, and storage, shall be conducted out of public view.

(2) No cannabis or paraphernalia shall be displayed or kept in a business so as to be visible from outside the licensed premises.

(3) There shall be no outdoor events or sales associated with a cannabis business; all such activities shall occur within a principal or accessory building, including temporary structures, as allowed in compliance with Title 11 of this code.

(4) No cannabis business shall occupy a residential dwelling unit.

Sec. 30-601. Age Verification Compliance Checks.

(a) All registered cannabis retail businesses and hemp retail businesses licensed by the Office of Cannabis Management shall be open to inspection by the city during the regular business hours of the business.

(b) From time to time, but no less than three times per calendar year, the city will conduct unannounced age verification compliance checks to ensure compliance with the provisions of Minnesota Statutes, Chapter 342 and this chapter.

(c) 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.

(d) All age verification compliance check failures will be reported to the Office of Cannabis Management.

Sec. 30-602. Preliminary Compliance Checks.

Before issuing a retail registration, the city will conduct a preliminary compliance check to ensure that the cannabis retail business or hemp retail business is compliant with the zoning, building code, and performance standards for cannabis businesses and hemp businesses established in this chapter and elsewhere in this Code.

Sec. 30-603. Change in Location.

If a registered cannabis retail business or hemp retail business seeks to move to a new location within the city, the business shall submit a new application for retail registration for the new location prior to the relocation. No additional registration fee or renewal fee shall be required for a change in location.

Sec. 30-604. Registration is Nontransferable.

Cannabis retail business registrations and hemp retail business registrations issued under this chapter shall not be transferred to a different cannabis retail business or hemp retail business.

Sec. 30-605. Suspension of Retail Registration.

If the city determines that the holder of a cannabis retail registration or hemp retail registration under the chapter has violated the provisions of this chapter or other provisions of this Code pertaining to the operation of cannabis retail business or hemp retail business, or the operation of the business poses an immediate threat to the health or safety of the public, the city may suspend the retail registration of the business. The

city will immediately notify the Office of Cannabis Management of the suspension, as well as provide a description of the grounds therefor. The suspension shall be for a period of no more than 30 days unless the Office of Cannabis Management revokes or suspends the license and operating privilege of the business for a longer period of time. The city may reinstate a suspended retail registration if the city determines the violation has been cured. During any period of suspension, it shall be unlawful for the business to sell any products for which the business needed a license to sell from the Office of Cannabis Management.

Sec. 30-606. Temporary Cannabis Events.

(a) Temporary Cannabis Event Permit Required: A temporary cannabis event permit is required to be issued and approved by the city prior to holding a Temporary Cannabis Event

(b) Fee: A registration fee, as established in city's fee schedule, shall be charged to applicants for a temporary cannabis event permit. The application fee shall be non-refundable.

(c) Application Submittal and Review:

(1) An applicant for a temporary cannabis event permit shall fill out an application form, as provided by the city. The application shall include, but is not limited to:

- a. Full name of the property owner and applicant;
- b. Address, email address, and telephone number of the applicant;
- c. Site plan of event space, including location and number of access points
- d. Proposed capacity of event space
- e. Other information as required by the city based on the type or size of the event.

(2) The applicant shall include with the application form:

- a. The application fee as required;
- b. A copy of the OCM cannabis event license application, submitted pursuant to Minn. Stat. 342.39 subd. 2.

c. The application shall be submitted to the city Clerk 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.

(3) Once an application is considered complete, the city clerk shall inform the applicant that the application is complete, process the application fees, and forward the application to the community development director or designee for approval or denial.

(4) The application for a temporary cannabis event permit shall meet the following standards:

a. Minimum Buffer Zone Required: A temporary cannabis event shall provide a minimum buffer zone of Five hundred feet (500') from a school.

b. Temporary cannabis events shall only occur between the hours of ten o'clock (10:00) A.M. and ten o'clock (10:00) P.M.

c. Adequate security for the event is in place to ensure compliance with the requirements of state law and city code.

(5) A request for a temporary cannabis event permit 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.

Sec. 30-608. 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. 30-607. Severability.

If any provision of this chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of this chapter.