

1 businesses.

2 (3) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.

3 (4) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning
4 ordinances.

5
6 **Sec. 26-882 - Severability**

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

9
10 **Sec. 26-883 - Enforcement**

11 The City of Ramsey is responsible for the administration and enforcement of this Article. Any
12 violation of the provisions of this Article or failure to comply with any of its requirements
13 constitutes a misdemeanor and is punishable as defined by law. Violations of this Article can
14 occur regardless of whether or not a permit is required for a regulated activity listed in this Article.

15
16 **Sec. 26-884 - Definitions**

17 Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the
18 rules promulgated pursuant to any of these acts, shall have the same meanings in this Article.

19
20 *Cannabis Cultivation:* A cannabis business licensed to grow cannabis plants within the
21 approved amount of space from seed or immature plant to mature plant. harvest cannabis flower
22 from mature plant, package and label immature plants and seedlings and cannabis flower for
23 sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located
24 on the same premises, and perform other actions approved by the office.

25
26 *Cannabis Retail Businesses:* A retail location and the retail location(s) of a mezzobusinesses with
27 a retail operations endorsement, microbusinesses with a retail operations endorsement, medical
28 combination businesses operating a retail location, and lower-potency hemp edible retailers.

29
30 *Cannabis Retailer:* Any person, partnership, firm, corporation, or association, foreign or
31 domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

32
33 *Daycare:* A location licensed with the Minnesota Department of Human Services to provide the
34 care of a child in a residence outside the child's own home for gain or otherwise, on a regular
35 basis, for any part of a 24-hour day.

36
37 *Lower-potency Hemp Edible:* As defined under Minn. Stat. 342.01 subd. 50.

38
39 *Office of Cannabis Management:* Minnesota Office of Cannabis Management, referred to as
40 “OCM” in this Article.

41
42 *Place of Public Accommodation:* A business, accommodation, refreshment, entertainment,
43 recreation, or transportation facility of any kind, whether licensed or not, whose goods, services,
44 facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made
45 available to the public.

1 *Preliminary License Approval:* OCM pre-approval for a cannabis business license for applicants
2 who qualify under Minn. Stat. 342.17.

3
4 *Public Place:* A public park or trail, public street or sidewalk; any enclosed, indoor area used by
5 the general public, including, but not limited to, restaurants; bars; any other food or liquor
6 establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common
7 areas of rental apartment buildings, and other places of public accommodation.

8
9 *Residential Treatment Facility:* As defined under Minn. Stat. 245.462 subd. 23.

10
11 *Retail Registration:* An approved registration issued by the City of Ramsey to a state- licensed
12 cannabis retail business.

13
14 *School:* A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must
15 meet the reporting requirements under Minn. Stat. 120A.24.

16 *State License:* An approved license issued by the State of Minnesota’s Office of Cannabis
17 Management to a cannabis retail business.

18
19 **Division 2. – Registration of Cannabis Businesses**

20
21 **Sec. 26-885 Consent to registering of Cannabis Businesses**

- 22 (a) No individual or entity may operate a state-licensed cannabis retail business within Ramsey
23 without first registering with the city.
- 24
25 (b) Any state-licensed cannabis retail business that sells to a customer or patient without valid
26 retail registration shall incur a civil penalty of \$2,000 for each violation.
- 27
28 (c) Notwithstanding the foregoing provisions, the state shall not issue a license to any
29 cannabis business to operate in Indian country, as defined in United States Code, title 18,
30 section 1151, of a Minnesota Tribal government without the consent of the Tribal
31 government.

32
33
34 **Sec. 26-886 - Compliance Checks Prior to Retail Registration**

35 Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from
36 OCM, Ramsey shall certify on a form provided by OCM whether a proposed cannabis retail
37 business complies with the Zoning Code and, if applicable, whether the proposed business
38 complies with the state fire code and building code.

39
40 **Sec. 26-887 - Registration & Application Procedure**

- 41 (a) *Fees.*
- 42 (1) Ramsey shall not charge an application fee.
- 43 (2) A registration fee, as established in Ramsey’s fee schedule, shall be charged to
44 applicants depending on the type of retail business license applied for.
- 45 (3) An initial retail registration fee shall not exceed \$500 or half the amount of an initial
46 state license fee under Minn. Stat. 342.11, whichever is less. The initial

1 registration fee shall include the initial retail registration fee and the first annual
2 renewal fee.

3 (4) Any renewal retail registration fee imposed by Ramsey shall be charged at the
4 time of the second renewal and each subsequent renewal thereafter.

5 (5) A renewal retail registration fee shall not exceed \$1,000 or half the amount of a
6 renewal state license fee under Minn. Stat. 342.11, whichever is less.

7 (6) A medical combination business operating an adult-use retail location may only
8 be charged a single registration fee, not to exceed the lesser of a single retail
9 registration fee, defined under this section, of the adult-use retail business.

10
11 (b) *Application Submittal.* The City of Ramsey shall issue a retail registration to a state-
12 licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

13 (1) An applicant for a retail registration shall fill out an application form, as provided
14 by the city. Said form shall include, but is not limited to:

15 a. Full name of the property owner and applicant;

16 b. Address, email address, and telephone number of the applicant;

17 c. The address and parcel ID for the property which the retail registration is
18 sought;

19 d. Certification that the applicant complies with the requirements of local
20 codes established pursuant to Minn. Stat. 342.13.

21
22 (2) The applicant shall include with the form:

23 a. the application fee as required in Section 26-887(a);

24 b. a copy of a valid state license or written notice of OCM license
25 preapproval;

26 (3) Once an application is considered complete, the City Administrator or designee
27 shall inform the applicant as such, process the application fees, and forward the
28 application to the Community Development Department for approval or denial.

29 (4) The application fee shall be non-refundable once processed.
30

31 (c) *Application Approval*

32 (1) A state-licensed cannabis retail business application shall not be approved if the
33 cannabis retail business would exceed the maximum number of registered
34 cannabis retail businesses permitted under Section 2.6.

35 (2) A state-licensed cannabis retail business application shall not be approved or
36 renewed if the applicant is unable to meet the requirements of this Article.

37 (3) A state-licensed cannabis retail business application that meets the requirements of
38 this Article shall be approved.
39

40 (d) *Annual Compliance Checks.*

41 (1) The City of Ramsey Police Department shall complete at minimum one
42 compliance check per calendar year of every cannabis business to assess if the
43 business meets age verification requirements, as required under [Minn. Stat.
44 342.22 Subd. 4(b) and Minn. Stat. 342.24] and this section.

45 (2) The Ramsey Police Department shall conduct at minimum one unannounced age
46 verification compliance check at least once per calendar year.

- 1 (3) Age verification compliance checks shall involve persons at least 17 years of age
2 but under the age of 21 who, with the prior written consent of a parent or guardian
3 if the person is under the age of 18, attempt to purchase adult-use cannabis flower,
4 adult-use cannabis products, lower-potency hemp edibles, or hemp-derived
5 consumer products under the direct supervision of a law enforcement officer or an
6 employee of the local unit of government.
- 7 (4) Any failures under this section must be reported to the Office of Cannabis
8 Management.

9
10 (e) *Location Change.* A state-licensed cannabis retail business shall be required to submit a
11 new application for registration under Section 26-887(b) if it seeks to move to a new
12 location still within the legal boundaries of the City of Ramsey.

13
14 (f) *Renewal of Registration*

- 15 (1) The City of Ramsey shall renew an annual registration of a state-licensed cannabis
16 retail business at the same time OCM renews the cannabis retail business' license.
- 17 (2) A state-licensed cannabis retail business shall apply to renew registration on a
18 form established by the city.
- 19 (3) A cannabis retail registration issued under this Article shall not be transferred.

20
21 (g) *Renewal Fees.* The city may charge a renewal fee for the registration starting at the second
22 renewal, as established in Ramsey's rates and fee schedule.

23
24 (h) *Renewal Application.* The application for renewal of a retail registration shall include, but
25 is not limited to items required under Section 26-887(b) of this Chapter.

26
27 **Sec. 26-888- Suspension of Registration**

28 (a) *When Suspension is Warranted.* The City of Ramsey may suspend a cannabis retail
29 business's registration if it violates this Article of the city or poses an immediate threat to
30 the health or safety of the public. The city shall immediately notify the cannabis retail
31 business in writing the grounds for the suspension.

32
33 (b) *Notification to OCM.* The city shall immediately notify the OCM in writing the grounds
34 for the suspension. OCM will provide the city and cannabis business retailer a response to
35 the complaint within seven calendar days and perform any necessary inspections within 30
36 calendar days.

37
38 (c) *Length of Suspension.*

- 39 (1) The suspension of a cannabis retail business registration may be for up to 30
40 calendar days, unless OCM suspends the license for a longer period.
41 Reinstatement of the registration is dependent on the determination for the OCM.
42 The business may not make sales to customers if their registration is suspended.
- 43 (2) The city may reinstate a registration if it determines that the violations have been
44 resolved.
- 45 (3) The city shall reinstate a registration if OCM determines that the violation(s) have
46 been resolved.

- 1
2 (d) *Civil Penalties.* Subject to Minn. Stat. 342.22, subd. 5(e) the city of Ramsey may impose a
3 civil penalty, as specified in Ramsey’s Fee Schedule, for registration violations, not to
4 exceed \$2,000.
5
6 (e) *Limiting of Registrations.* The City of Ramsey shall limit the number of cannabis retail
7 businesses to no more than one registration for every 12,500 residents within city limits.
8

9 **Division 3 – Requirements for Cannabis Businesses**

10
11 **Sec. 26-889 - Minimum Buffer Requirements**

- 12 (a) The following separation distances are measured between the customer entrance to the
13 cannabis business to the main or primary entrance of the following uses:
14 (1) The city shall prohibit the operation of a cannabis business within 1,000 feet of a
15 school.
16 (2) The city shall prohibit the operation of a cannabis business within 500 feet of a day
17 care.
18 (3) The city shall prohibit the operation of a cannabis business within 500 feet of a
19 residential treatment facility.
20 (4) The city shall prohibit the operation of a cannabis business within 500 feet of an
21 attraction within a public park that is regularly used by minors, including a
22 playground or athletic field.
23
24 (b) The city shall limit the number of retail locations within the combined COR zoning districts
25 to one (1) retail location. Outside the COR districts, a retail location must be at least 1,000 feet
26 apart from another licensed retail premise, as measured between customer entrances.
27
28 (c) Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 26-889(a) shall prohibit an
29 active cannabis business or a cannabis business seeking registration from continuing
30 operation at the same site if a school/daycare/residential treatment facility/attraction
31 within a public park that is regularly used by minors moves within the minimum buffer
32 zone.
33

34 **Sec. 26-890 - Zoning and Land Use**

35 The following business types defined in this chapter are interpreted to be a part of the uses
36 defined in Chapter 106 – Zoning Code:
37

- 38 (a) *Cultivation.* Cannabis businesses licensed or endorsed for cultivation are permitted as an
39 agricultural use in the following zoning districts:
40 RR – Rural Residential District (indoor or outdoor)
41 MR – MUSA Reserve District (indoor or outdoor)
42 I-1 – Light Industrial District (indoor only)
43 I-2 – General Industrial District (indoor only)
44
45 (b) *Cannabis Manufacturer.* Cannabis businesses licensed or endorsed for cannabis
46 manufacturer are permitted as a manufacturing use in the following zoning districts:

1 I-1 – Light Industrial District
2 I-2 – General Industrial District

3
4 (c) *Hemp Manufacturer.* Businesses licensed or endorsed for low-potency hemp edible
5 manufacturers permitted as a manufacturing use in the following zoning districts:

6 I-1 – Light Industrial District
7 I-2 – General Industrial District

8
9 (d) *Wholesale.* Cannabis businesses licensed or endorsed for wholesale are permitted as a
10 wholesale sales use in the following zoning districts:

11 I-1 – Light Industrial District
12 I-2 – General Industrial District

13
14 (e) *Cannabis Retail.* Cannabis businesses licensed or endorsed for cannabis retail are
15 permitted as retail sales in the following zoning districts:

16 B-1—Neighborhood Business District
17 B-2 – Community Business District
18 B-3 – Regional Business District
19 I-1 – Light Industrial District
20 I-2 – General Industrial District
21 Those portions of COR and PUD approved and designed for retail sales

22
23 (f) *Cannabis Transportation.* Cannabis businesses licensed or endorsed for transportation
24 are permitted as a warehousing use in the following zoning districts:

25 I-1 – Light Industrial District
26 I-2 – General Industrial District

27
28 (g) *Cannabis Delivery.* Cannabis businesses licensed or endorsed for delivery are permitted
29 as a warehousing use in the following zoning districts:

30 I-1 – Light Industrial District
31 I-2 – General Industrial District

32
33 **Sec. 26-891 - Hours of Operation**

34 Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products,
35 lower-potency hemp edibles, or hemp-derived consumer products between the hours of 8:00 a.m.
36 and 10:00 p.m. on Monday through Saturday and 11:00 a.m. and 6:00 p.m. on Sundays.

37
38 **Sec. 26-892 – Temporary Cannabis Events**

39 Temporary Cannabis Events shall not be permitted within the City of Ramsey.

40
41
42 **SECTION 3. SUMMARY**

43
44 The following official summary of Ordinance #24-12 has been approved by the City Council of
45 the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance:

1 Chapter 26, Article XX is hereby created in order to comply with the requirements of State Statutes
2 342 regulating cannabis licensing.

3
4

5 **SECTION 4. EFFECTIVE DATE**

6

7 This ordinance becomes effective 30 days after its passage and publication, subject to City Charter
8 Section 5.04.

9

10 PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of November,
11 2024.

12

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14

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16

17

Mayor

18

ATTEST:

19

20

21

City Clerk

22

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24

25

Introduction date: October 22, 2024

26

Posting dates:

27

Adoption date:

28

Publication date:

29

Effective date:

30