

Questions and Answers (Q&As)
<p>Question from Oakdale - cities could get a little crazy with "interim ordinances" until 1/1/25, correct?</p> <p>A: We see this new interim ordinance as being a moratorium on cannabis business, so nothing particularly crazy.</p>
<p>Another question from Oakdale - we could create a new ordinance prior to 1/1/25 within the parameters (restrictions) and then when the state asks if the license applicant meets our LGU ordinances we can say "no unless they do all these things (in the new ordinance)", correct?</p> <p>A: Hypothetically, yes. But the rules and model ordinance that get adopted in the interim could preempt or negate the language in the ordinance. We are largely recommended that with regard to cannabis businesses, cities adopt the moratorium, if they want to regulate, and wait for that guidance and rulemaking from the State.</p>
<p>If the prohibition based on proximity makes it so that no businesses can operate, does that supercede the 1/12,500 residents?</p> <p>A: I would say that it is unlikely that the setbacks would prohibit all locations in a city. It is similar to the setbacks on liquor licenses.</p>
<p>Is the 500' setback from a daycare, for a Commercial Daycare, or a Home Daycare, or both, or not defined?</p> <p>A: "Here is the language: A local unit of government may prohibit the operation of a cannabis business 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."</p>
<p>can we get these slides?</p> <p>A: We will be posting the slides, sample ordinance, and this recording on our website. We will send a link to attendees.</p>
<p>For cities with current zoning/licensure code (for edible products under last year's language), does that language become obsolete? If so, when?</p> <p>A: Licensing provisions will be precluded when the state starts licensing low-potency hemp edibles. We will have to see what the rules say, but I think zoning of these businesses can continue.</p>
<p>Is there any guidance or authority provided to a city in the bill that would address a lower potency hemp store or frankly any other retailer that would attempt to sell flower cannabis without a license?</p> <p>A: There are new "sale crimes" established (MN STAT 152.0264). I'm not familiar with anything else in the bill regarding enforcement against those without licenses, but I will look further.</p>
<p>Is the growing and cultivating of marijuana going to fall under the rules of Ag farming?</p> <p>A: Answered Live</p>
<p>Can a city restrict cannabis licenses to entities with liquor licenses?</p> <p>A: It isn't abundantly clear whether something like that will fall under "time, place and manner" restrictions, but there is nothing explicitly in the bill that states a city can do that.</p>

Generally, however, the bill provides operation requirements for each license, which includes things like multiple licenses that they can hold, size limitations, and how many licenses a person can hold.

So we will not be able to limit the amount of growing facilities that are able to come into our towns?

A: No. The 1/12,500 cap only applies to three retail license types.

If municipal liquor store is going to sell the low THC? Is that the one license?

A: No. The one license cap does not apply to lower-potency hemp edibles. That cap only applies to three types of cannabis retail licenses.

Is that a and/or type limitation? Can we prohibit both 1000 feet from a school AND 500 feet from a daycare, treatment facility, or park? Or is it you can only choose to prohibit from a school or a daycare/treatment facility/park but not both?

A: (Troy): I see the reason for your question because the law uses an “or”:

A local unit of government may prohibit the operation of a cannabis business 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.

However, in this context I read it as allowing both setbacks to be applied since they identify different uses. So, the setbacks an LGU may adopt includes both prohibiting a cannabis business from locating within 1000 feet of a school AND 500 feet from.....

A: (Jason): I agree, but the only caveat I would add is that you cannot prohibit cannabis businesses entirely. We have discussed the potential issue that in smaller cities that if you applied all of these, you may not have anywhere in the city where the business can be located. This is something that will hopefully be addressed in the rulemaking, but cities will have to be careful in that regard.

How do we handle THC seltzers? We have a moratorium prohibiting .1%-5% THC amounts until September. When do we allow them to sell?

A: Answered Live

To clarify one more time, can cities under 12,500 residents opt out of allowing sale/distribution?

A: Answered Live

If the City agrees to two, but then decides to give the two licenses to the City itself would that work? (thinking about where you said it wasn't exclusive)?

A: Answered Live

If the Township turns the authority over to the County, would the Township have any say in the regulations of locations?

A: Answered Live

Could the City own the licenses but then contract out (like an RFS) for the provider?

A: Answered Live

<p>Did they put a limit on the license fees that a city may collect?</p> <p>A: Answered Live</p>
<p>Would the THC edibles licensed through the state later next year? For this year, it will be through the city?</p> <p>A: Answered Live</p>
<p>If we pursued Muni-retail, is there a limit to the number of stores we could have? (our population would allow for 4 retailers, could we license 4 city establishments?)</p> <p>A: Answered Live</p>
<p>what if your township doesn't allow commercial businesses now, will it have to allow this business, cannabis?</p> <p>A: Answered Live</p>
<p>You mentioned onsite consumption for THC beverages. Do these beverages have to be "prepackaged" or will bars be able to mix drinks?</p> <p>A: Answered Live</p>
<p>Are the low potency hemp licenses inclusive of the delta 9 synthetic THC products or just the non-psychoactive hemp products?</p> <p>A: Answered Live</p>
<p>If the county population is 25,200 and the largest city licenses 3 cannabis retailers, do the remaining cities in the county not have to license any, because the largest city in the county met the threshold for the county as a whole?</p> <p>A: Answered Live</p>
<p>Is the limit PER license type? For example, does a city of 12,500 have to allow one mezzo, one micro AND one retailer? Or only needs to allow one in general (e.g. one retailer) and the cap is reached?</p> <p>A: Answered Live</p>
<p>Are there specific details as to what constitutes a "complete" application for a cannabis business application? If Cities are limited to 30 days for review, presumably there will be standards for information to make sure that timeframe is workable?</p> <p>A: Answered Live</p>
<p>COMMENTS:</p>
<p>Thanks for putting this together. It's great information.</p>
<p>Good webinar K&G - thank you!</p>
<p>WONDERFUL webinar! I got more information out of this webinar than I have from town halls with legislators and webinars with the league</p>