

CHAPTER 13

ALCOHOL AND TOBACCO

GENERAL PROVISIONS

13.101. Adoption of State Law By Reference. The provisions of Minnesota Statutes, Chapter 340A, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution and consumption of intoxicating liquor and/or 3.2 percent malt liquor are adopted by reference and made a part of this ordinance as if fully set forth herein. Any future amendments to Chapter 340A shall be similarly adopted by reference as if in existence at the time this ordinance was originally adopted by the Council.

13.102. City - Restrictive. The Council is authorized to impose additional restrictions on the sale and possession of alcoholic beverages as permitted by law.

13.103. Definitions. In addition to the statutory definitions set forth in Chapter 340A, the following terms are defined as follows:

- (1) "Sale" and "Sell" means all barter and manners of furnishing intoxicating liquor including such furnishings in violation or evasion of law.
- (2) "Ordinance" shall refer to Chapter 13 in its entirety, including any future amendments or additions.

13.104. Severability. If any section, or subsection, subdivision or provision of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

LICENSES, APPLICATIONS AND FEES

13.201. Types of Licenses. The Council is authorized to issue, subject to the requirements of this ordinance, up to the number permitted by law, the following licenses:

- (1) *3.2 percent malt liquor "On-Sale" licenses:* This license may be issued only to clubs, restaurants, hotels, bowling centers or similar establishments incidental to the sale of prepared food, tobacco, and soft drinks.
- (2) *3.2 percent malt liquor temporary "On-Sale" licenses:* This license may be issued only to a club, religious and/or non-profit organization.
- (3) *3.2 percent malt liquor "Off-Sale" licenses:* This license shall permit the sale of beer at a retail store, in the original package, for consumption off

the premises only.

- (4) *Intoxicating Liquor “On Sale” Licenses*: This license shall be issued only to hotels, motels, restaurants and bowling centers and shall permit "On-Sale" of liquor only.
- (5) *Club Intoxicating “On Sale” License*: This license shall be issued only to clubs or congressionally chartered veterans organizations as defined by Chapter 340A.
- (6) *Temporary Intoxicating “On Sale” License*: This license shall be issued only in connection with a social event sponsored by a club, charitable, religious or other non-profit organization which has been in existence for three or more consecutive years. A temporary on sale intoxicating liquor license shall not be for more than four consecutive days nor be less than two consecutive days. The City may not issue more than twelve days of temporary licenses to any one organization in a calendar year.
- (7) *Wine Licenses - “On Sale”*: This license authorizes the sale of wine not exceeding 14 percent alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food. An on-sale wine license may be issued only to a restaurant seating not fewer than 25 guests at one time.
- (8) *Consumption and Display*: It is unlawful for any business establishment or club, not holding an on-sale liquor license, to directly or indirectly, or by any pretense or other device, sell, barter, keep for sale or otherwise dispose of any liquid for the purpose of mixing the same with liquor, on or within the premises, without a consumption and display permit from the City. If the Applicant is eligible and met the requirements of the State of Minnesota, a permit shall be issued only if the following requirements are satisfied:
 - a. Applicant has not been convicted of a felony or any provision of Minnesota Statutes, Chapter 340A, within the previous 5 years;
 - b. The premises are zoned for the proposed use;
 - c. The premises are not within 100 feet of the boundary line of any school or church property;
 - d. Applicant has tendered payment to the City for the required fee;

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- e. The premises have adequate emergency fire exit and parking facilities; and
- f. The premises to be licensed is a:
 - 1. Restaurant;
 - 2. Hotel;
 - 3. Resort as defined by Minnesota Statutes §157.15;
 - 4. Establishment licensed for the sale of 3.2 percent malt liquor “on sale”;
 - 5. Bed and breakfast facility as defined by Minnesota Statutes §340A.4011, subdivision 1; or
 - 6. A club or an unincorporated club provided that no license has been issued to the club for an on-sale or intoxicating liquor license.

Security. For everyone 100 people anticipated to be in attendance at any premises where there is a Consumption and Display Permit, owner shall have on the premises one off-duty police officer or other security personnel satisfactory to the Chief of Police.

Owner Present. During any and all times when the premises is open, the owner or representative of the owner must be present.

13.202. **License Fees.** The Council shall establish by resolution the fee for any license. The license fee may not exceed any limit set by law; and further, shall not exceed the cost of issuing the license and other costs directly related to the enforcement of this ordinance. No fee shall be increased without holding a public hearing and providing notice of all affected licensees at least 30 days prior to the hearing. The fee for all licenses granted after the beginning of the calendar year, except temporary ones, may be prorated on a quarterly basis. No refund of a license fee shall be made unless authorized by law or this ordinance.

13.203. **Application.** Application for a license issued under this ordinance shall be on a form provided by the City and shall include the following information: Full legal name of the applicant; address of applicant, including a separate mailing address if applicable; address and location of the premises of operation; type of license applied for; if applicable, the name and address of the owner or operator of the business; and, such other information as the Council may require. An application for an *Intoxicating Liquor “On Sale” License* shall be in the form prescribed by the Commissioner of Public Safety and shall also contain the information required by the Council. No application shall contain a false or misleading statement.

- (1) Each application for a license shall be accompanied by a receipt from the City for payment in full of the license fee. If an application for a license is rejected, the City shall refund the amount paid.

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13.204. Granting of License. The City shall investigate all facts set out in the application. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall in its discretion grant or deny the license.

- (1) As part of the application process, the City shall conduct a personal and financial background investigation. The City shall establish a fee, by resolution, for the expense of the investigation. The applicant shall submit this fee with the license application. If the City or Commissioner of Public Safety determines that further investigation is required, the applicant shall submit an additional sum equal to the anticipated expense of the investigation. Any unused balance shall be returned to the applicant. The investigation results shall be submitted to the Commissioner of Public Safety when and where required by law.

13.205. Financial/Liability Responsibility. Prior to issuance of a license, the applicant must submit proof of financial responsibility as defined and required by Chapter 340A. Proof of compliance shall be filed with the City and Commissioner of Public Safety, where applicable. Any liability insurance policy filed as proof of financial responsibility must conform to the provisions of Chapter 340A. Failure to maintain proof of financial responsibility is grounds for immediate revocation or suspension of the license.

- (1) The City may, in its discretion, require the posting of an additional bond to secure the terms and conditions of the license.

13.206. Restrictions. No license shall be granted to any person: Under 21 years of age; who has been convicted of a felony; who is not a resident of this state; or, who is ineligible under federal, state or local law from holding the desired license.

No license shall be issued for any place of business or location which is ineligible for such a license under federal, state or local law.

- (1) No license shall be granted for operation on any premises on which taxes, assessments, or other financial claims of the City are delinquent and unpaid.

13.207. Transfer. Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without Council approval. Any transfer of the majority of issued and outstanding stock of a corporate licensee is deemed a transfer of the license.

13.208. Term of License. Except as stated herein, each license shall be issued for a period of up to one year and shall expire on December 31st of each year.

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- (1) Temporary licenses expire according to their issuing terms.
- (2) Club Intoxicating On Sale License shall expire on October 1st of each year.
- (3) Consumption and Display license shall expire on April 1st of each year

13.209. Conditions of License. Any person granted a license under this ordinance shall operate the licensed business subject to the following conditions:

- (1) All licensed premises shall have their licenses posted in a conspicuous place at all times;
- (2) No non-intoxicating malt liquor or intoxicating liquor shall be sold or served to any intoxicated person or to any person under 21 years of age;
- (3) A licensee shall allow any peace officer, health officer, or properly designated officer or employee of the City to enter and inspect and search the premises of the licensee during business hours without a warrant.
- (4) A licensee is responsible for the conduct of his place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed to be the act of the licensee as well, and the licensee shall be liable to all penalties provided by this ordinance and the law equally with the employee.
- (5) A licensee shall post and maintain in a conspicuous place all notices required by law.

13.210. Times. The hours of operation and days of sale shall be governed by Chapter 340A. In addition, the following restrictions shall apply:

- (1) No person shall consume nor shall any licensee permit the consumption of any intoxicating liquor or 3.2 percent malt liquor more than 30 minutes after the time a sale can legally occur.
- (2) No licensee shall permit any beverage container to remain upon any table, bar or stool more than 30 minutes after the time a sale can legally occur.
- (3) No person, other than the licensee and its employees, remain on the licensed premises more than 30 minutes after the time a sale can legally occur.

MUNICIPAL LIQUOR STORE

13.301. Authorized. The municipal liquor store previously established is continued for the "on-sale" and "off-sale" of intoxicating liquor. No person, except those authorized by this ordinance, shall sell any intoxicating liquor.

13.302. Location. The liquor store shall be at a place as determined by the Council and may be either leased or owned by the municipality.

13.303. Manager. The liquor store shall be in the immediate charge of the liquor store manager as selected by the Council. The manager shall receive such compensation as the council may determine and shall serve at the pleasure of the Council. The manager shall furnish a surety bond, in a sum determined by the Council, to the City conditioned upon the faithful discharge of his or her duties. The bond premium shall be paid by the City. The manager shall operate the liquor store under the Council's direction. The manager shall have the authority to purchase supplies and employ additional persons as may be needed, such help to serve at the pleasure of the Council.

13.304. Fund. All revenues from the operation of the municipal liquor store shall be deposited in a liquor store fund from which all operating expenses shall be paid. Any surplus accumulating in this fund may be transferred to the general fund by Council resolution and expended for any lawful city purposes. All receipts and expenses shall be accounted for in the manner generally prescribed by law for receipts and disbursements of city funds.

- (1) 90 days after the end of the calendar year, the Council shall make available a balance sheet and statement of operations which shall be published as required by law.

PROHIBITED ACTS

13.401. Nudity. The City Council finds it is in the best interest of the public health, safety, and general welfare of the people of the City that nudity is prohibited upon the premises of any establishment licensed under this ordinance. This is to protect the owners, operators, and employees of the establishments, as well as patrons and general public, from harm stemming from the physical immediacy and combination of alcohol, nudity, and sex. The Council intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct such as prostitution, sexual assault, and disorderly conduct. The Council finds this prohibition reflects the prevailing community standards of the City.

- (1) It is unlawful for any licensed establishment to permit or allow any person upon the licensed premises when such person does not have his or her buttocks, breast, and genitals covered with a non-transparent material.

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- (2) It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, breast, and genitals covered with a non-transparent material.

13.402. Public Place Consumption. Except as permitted by this ordinance, no person shall consume any intoxicating liquor or 3.2 percent malt liquor in or upon any public street, sidewalk, parking lot, alley, park, or other public place, other than the premises of the licensed establishment.

13.403. Minors. No person under the age of 21 may be in a licensed establishment except to work, consume meals in that portion which serves as a restaurant, attend social functions in a portion where liquor is not sold, or participate in an activity not related to the consumption of liquor (e.g. bowling).

- (1) No one under the age of 18 shall be employed in any portion of the licensed establishment where liquor is sold; except that such individuals may be employed as musicians, kitchen staff (including a busperson or dishwasher), or in any employment capacity which is not directly related to the sale of liquor.

13.404. Gambling. No licensee may keep, possess, operate, or allow on the licensed premises any dice, or any gambling device as defined by law, or permit gambling therein, except as allowed by law.

13.405. License Required. No person shall sell any alcoholic beverage, liquor or tobacco product within the City without first obtaining a license to do so from the City.

PENALTIES

13.501. Penalties. Any person violating the provisions of this ordinance (Chapter 13) or state law is subject to the following penalties:

- (1) *Criminal:* Any person violating the provisions of this ordinance (Chapter 13) or state law is guilty of a misdemeanor and upon conviction shall be punished as provided by law.
- (2) *Civil:* The Council may impose a civil penalty, in addition to any criminal penalty, of up to \$2,000.00 for each separate violation of this ordinance within a three year period as follows:

First Violation:	\$500.00
Second Violation:	\$1,000.00
Third Violation:	\$2,000.00

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A criminal conviction is not necessary to impose a civil penalty. Upon request, the Council shall hold a hearing on the violation and/or penalty. Failure to timely pay the penalty is grounds for immediate suspension or revocation of a license.

- (3) *Suspension and Revocation:* The Council may either suspend a license for a period of up to Sixty (60) days, or revoke a license, upon a finding that the licensee has failed to comply with any applicable statute, regulation, or ordinance relating to liquor. Unless otherwise stated, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for an administrative hearing pursuant to Minn. Stat. §14.57 - 14.70.
 - a. Lapse of required proof of financial responsibility or liquor liability insurance shall result in an immediate suspension of a license, which suspension shall continue until the Council determines the requirements of state law and/or this ordinance have been satisfied.
 - b. The Council shall determine the day or days of suspension.

SALE OF TOBACCO

13.601. License Required. No person shall sell any tobacco product, including cigarettes, cigars, or loose leaf tobacco without first obtaining a tobacco license from the city.

13.602. License Fees. The Council shall establish by resolution the fee for any license. The license fee may not exceed any limit set by law; and further, shall not exceed the cost of issuing the license and other costs directly related to the enforcement of this ordinance. No fee shall be increased without holding a public hearing and providing notice of all affected licensees at least 30 days prior to the hearing. The fee for a license granted after the beginning of the calendar year may be prorated on a quarterly basis. No refund of a license fee shall be made unless authorized by law or this ordinance.

13.603. Application for License. Any person desiring a tobacco license shall submit to the City a written application containing the following information:

- (1) The name and address of the person desiring the license;
- (2) Location of the premises for which a license is desired;
- (3) The nature of the business conducted at the premises for which the license is desired; and
- (4) Such other information as the council may desire.

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Any person desiring a tobacco license shall pay the license fee to the City when making application for the license. Upon rejection of an application for a license, the City shall refund any amount paid for the license desired.

13.604. License not Transferable. A tobacco license shall be valid only for the person to whom the license was issued or his agents and assigns, and shall be valid only at the premises described in the application.

13.605. Granting of License. The City shall investigate all facts set out in the application. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall, at its discretion, grant or refuse the license.

13.606. Conditions of License. Any person granted a tobacco license shall operate the licensed premises subject to the following conditions:

- (1) All licensed premises shall have its license posted in a conspicuous place at all times;
- (2) No tobacco license shall permit the sale of cigarettes at a moveable place of business, nor shall any license permit the sale of tobacco at more than one place of business.
- (3) A licensee shall allow any peace officer, health officer, or properly designated officer or employee of the City to enter and inspect and search the premises of the licensee during business hours without a warrant.
- (4) The act of any employee on the licensed premises is deemed to be the act of the licensee as well, and the licensee shall be liable to all penalties provided by this ordinance and the law equally with the employee.
- (5) A licensee shall post and maintain in a conspicuous place all notices required by law.

13.607. Penalties. Any person violating the provisions of Section 13.601 - 13.606 or applicable state or federal law is subject to the following penalties:

- (1) *Criminal:* The violation shall be a misdemeanor and upon conviction shall be punished as provided by law.
- (2) *Civil:* The Council may impose a civil penalty of up to \$250.00 for each separate violation of this ordinance. A criminal conviction is not necessary to impose a civil penalty. Upon request, the Council shall hold a

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hearing on the violation and/or penalty. Failure to timely pay the penalty is grounds for immediate suspension or revocation of a license.

- (3) *Suspension and Revocation:* The Council may either suspend a license for a period of up to Sixty (60) days, or revoke a license, upon a finding that the licensee has failed to comply with any applicable statute, regulation, or ordinance relating to tobacco. Unless otherwise stated, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for an administrative hearing pursuant to Minn. Stat. §14.57 - 14.70.

- a. The Council shall determine the day or days of suspension.

ORDINANCE NO. 25-02-12-01

AN ORDINANCE TO REGULATE CANNABIS BUSINESSES

THE CITY OF LONG PRAIRIE DOES ORDAIN AS FOLLOWS:

Section 1. AMENDMENT OF MUNICIPAL CODE, CHAPTER 13, ALCOHOL AND TOBACCO. Chapter 13 of the Long Prairie Municipal Code is hereby amended by renaming Chapter 13 and adding (the underlined language) Cannabis Products, regulating the sale of cannabis products in the City of Long Prairie, as follows:

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CANNABIS PRODUCTS

13.701. Purpose and Intent. The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes the City of Long Prairie to protect the public health, safety, welfare of the City of Long Prairie residents by regulating cannabis businesses within the legal boundaries of the City of Long Prairie.

The City of Long Prairie has the authority to adopt this ordinance pursuant to:

- (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.

The provisions of this Article shall be applicable to the legal boundaries of the City of Long Prairie.

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

13.703. Enforcement. The police chief is responsible for the administration and enforcement of this article. Any violation of the provisions of this article or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as

defined by law. Violations of this article can occur regardless of whether or not a permit is required for a regulated activity listed in this article.

13.704. Definitions.

- (1) Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 324.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this Chapter and Chapter 16.
- (2) *Cannabis Cultivation:* A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
- (3) *Cannabis Retail Businesses:* A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers.
- (4) *Cannabis Retailer:* Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
- (5) *Daycare:* A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
- (6) *Lower-potency Hemp Edible:* As defined under Minn. Stat. 342.01 subd. 50.
- (7) *Office of Cannabis Management:* Minnesota Office of Cannabis Management, referred to as "OCM" in this article.
- (8) *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.
- (9) *Preliminary License Approval:* OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
- (10) *Public Place:* A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas;

gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.

- (11) Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
- (12) Retail Registration: An approved registration issued by the City of Long Prairie to a state licensed cannabis retail business.
- (13) School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
- (14) State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

13.705. Consent to Registering of Cannabis Businesses.

- (1) No individual or entity may operate a state-licensed cannabis retail business within the City of Long Prairie without first registering with the City of Long Prairie.
- (2) Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of \$2,000 for each violation.
- (3) Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

13.706. Zoning Checks Prior to Retail Registration.

- (1) Prior to issuance of a cannabis retail business registration, the City of Long Prairie shall conduct a preliminary zoning review to ensure compliance with local ordinances.
- (2) Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, the City of Long Prairie shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

13.707. Registration & Application Procedure.

- (1) Fees.
 - a. The City of Long Prairie shall charge an application/registration fee to be set by Resolution of the City Council from time to time.

- b. A registration fee, as established in the City of Long Prairie's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.
- c. An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial registration fee and the first annual renewal fee.
- d. Any renewal retail registration fee imposed by the City of Long Prairie shall be charged at the time of the second renewal and each subsequent renewal thereafter.
- e. A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.
- f. A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business

(2) Application Submittal.

- a. The City of Long Prairie shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.
- b. An applicant for a retail registration shall fill out an application form, as provided by the City of Long Prairie. 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.
- c. The applicant shall include with the form:
 - (i) the registration fee as required in 13.707(1);
 - (ii) a copy of a valid state license or written notice of OCM license approval.

- d. Once an application is complete, the City of Long Prairie shall inform the applicant as such, process the application fees, and forward the application to OCM for approval or denial.
- e. The application fee shall be non-refundable once processed.

(3) Application Approval.

- a. 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 under Section 2.6.
- b. A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- c. A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

(4) Annual Compliance Checks.

- a. The City of Long Prairie shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under Minn. Stat. 242.22 Subd. 4(b) and Minn. Stat. 342.24 and this article.
- b. The City of Long Prairie shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.
- 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. Any failures under this section must be reported to the Office of Cannabis Management.

- (5) Location Change. A state-licensed cannabis retail business shall be required to submit a new application for registration under 13.707(2) if it seeks to move to a new location still within the legal boundaries of the City of Long Prairie.

13.708. Renewal of Registration.

- (1) The City of Long Prairie shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.
- (2) A state-licensed cannabis retail business shall apply to renew registration on a form established by the City of Long Prairie.
- (3) A cannabis retail registration issued under this ordinance shall not be transferred.
- (4) The City of Long Prairie may charge a renewal fee for the registration starting at the second renewal, as established in the City of Long Prairie' fee schedule.
- (5) The application for renewal of a retail registration shall include, but is not limited to items required under 13.707(2).

13.709. Suspension of Registration.

- (1) *When Suspension is Warranted.* The City of Long Prairie may suspend a cannabis retail business's registration if it violate the ordinance of the City of Long Prairie or poses an immediate threat to the health or safety of the public. The City of Long Prairie shall immediately notify the cannabis retail business in writing the grounds for the suspension.
- (2) *Notification to OCM.* The City of Long Prairie shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide the City of Long Prairie and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.
- (3) *Length of Suspension.*
 - a. The suspension of a cannabis retail 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
 - b. The City of Long Prairie may reinstate a registration if it determines that the violations have been resolved.
 - c. The City of Long Prairie shall reinstate a registration if OCM determines that the violation(s) have been resolved.
- (4) *Civil Penalties.* Subject to Minn. Stat. 342.22, subd. 5(e) the City of Long Prairie may impose a civil penalty, as specified in the City of Long Prairie's Fee Schedule, for registration violations, not to exceed \$2,000.

13.710. Limiting of Registrations.

- (1) If the County of Todd has one active cannabis retail businesses registration for every 12,500 residents, the City of Long Prairie shall not be required to register additional state licensed cannabis retail businesses.
- (2) In no event shall the City of Long Prairie have more than one cannabis retail business within the City of Long Prairie's boundaries.
- (3) Completed applications for registration shall be processed in the order in which the completed application is received.

13.711. – Temporary Cannabis Events.

- (1) License Required. A license or permit is required to be issued and approved by the City of Long Prairie prior to holding a Temporary Cannabis Event
- (2) Registration & Application Procedure. A registration fee, as established in the City of Long Prairie's fee schedule, shall be charged to applicants for Temporary Cannabis Events.
- (3) Application Submittal & Review. The City of Long Prairie shall require an application for Temporary Cannabis Events.
 - a. An applicant for a retail registration shall fill out an application form, as provided by the City of Long Prairie. 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.
 - b. The applicant shall include with the form:
 - (i) the application fee as required in 13.711(2);
 - (ii) a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.
 - c. The application shall be submitted to the City of Long Prairie, or other 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.
 - d. Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.

- e. The application fee shall be non-refundable once processed.
- f. The application for a license for a Temporary Cannabis Event shall meet the standards set forth by the City, from time to time by resolution, for insurance, physical footprint of the event, traffic, and security.
- g. A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.
- h. A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The City of Long Prairie shall notify the applicant of the standards not met and basis for denial.
- i. Temporary cannabis events shall only be held on private property.
- j. Temporary cannabis events shall only be held between the hours of 12:00 p.m. and 6:00 p.m.

13.712. Lower-Potency Hemp Edibles.

(1) *Sale of Low-Potency Hemp Edibles.* The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.

(2) *Additional Standards.*

- a. *Sale Within Liquor Store.* The sale of Low-Potency Edibles is permitted in a Liquor Store.
- b. *Age Requirements.* The sale of Low-Potency Edibles is permitted only in places that admit persons 21 years of age or older.
- c. *Beverages.* The sale of Low-Potency Hemp Beverages is permitted in places that meet requirements of this Section.
- d. *Storage of Product.* Low-Potency Edibles shall be sold behind a counter and stored in a locked case.
- e. Lower-potency hemp edibles, or hemp-derived consumer products may be sold during the same hours that Liquor Stores are permitted to sell alcohol.

13.713. Use in Public Places. 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 an event licensed to permit on-site consumption of adult-use.

13.714. Hours of Operation. Cannabis businesses are limited to retail sale of cannabis, cannabis flower, or cannabis products, between the hours of 8:00 a.m. and 10:00 p.m., Monday through Saturday and between the hours of 11:00 a.m. and 6:00 p.m. on Sundays.

13.715. Signs. Cannabis businesses are permitted to erect signs on the exterior of the building or property of the business, as permitted by the City Code, provided the proper sign permit is obtained.

Section 3. EFFECTIVE DATE. This ordinance shall take effect after publication and at 12:00 a.m., January 1, 2025.

Section 4. SUMMARY PUBLICATION. This Ordinance may be published by summary publication in accordance with Minnesota Statute 331A.01, Subdivision 10.

Passed by the City Council of the City of Long Prairie this 12th day of February, 2025.

APPROVED:

ATTEST:

James Kreemer, Mayor

Candace Bruder, City Administrator