

INTERIM ORDINANCE SECTION 17

**RESOLUTION ADOPTING AN EMERGENCY INTERIM ZONING ORDINANCE
INSTITUTION AN EMERGENCY MORATORIUM ON CANNABIS**

Whereas, the Chippewa County Zoning Ordinance does not contain standards for the regulation of the cannabis industry; and

Whereas, the Chippewa County Board of Commissioners has reviewed the recent Minnesota Statutes with respect to cannabis industry regulations as necessary to protect public health, safety, and general welfare; and

Whereas, pursuant to Minnesota Statute § 394.34, the Chippewa County Board of Commissioners deems it necessary to adopt an Interim Ordinance placing a moratorium on the location, establishment, and finalization of new and pending cannabis industry locations and uses until January 1, 2025 to permit the planning process to take place and to allow County staff, the Planning Commission and the County Board sufficient time to proceed in an orderly fashion to make any necessary changes, modifications and updates to the County’s Official Controls.

Whereas, an emergency situation exists and a temporary emergency moratorium is necessary to protect public health, safety, and general welfare until public hearings can be conducted on a longer term ordinance; and

Whereas, the Chippewa County Board of Commissioners finds:

1. A temporary emergency zoning ordinance instituting a moratorium prohibiting new or pending cannabis industry locations and uses is necessary in order to hold discussions and hearings to determine whether a longer-term zoning ordinance shall be adopted and implemented, to protect the public health, safety, and general welfare of the residents of Chippewa County.
2. An emergency exists because based on the recent Minnesota Statutory law changes as well the comments received from the community, the townships, and the cities, the Chippewa County Zoning Ordinance does not afford the protection needed to ensure that the residents of Chippewa County are not adversely affected.
3. It is in the interests of public health, safety, and the general welfare to impose a temporary moratorium until a public hearing can be noticed and a permanent ordinance can be published pursuant to Minn. Stat. § 375.51.

NOW, THEREFORE, the Chippewa County Board of Commissioners Hereby Ordains:

Section 1. Temporary Restrictions on Cannabis Industry Zoning and Permitting. Until January 1, 2025, or until such earlier time as the Chippewa County Board of Commissioners determines by resolution that the reasons for the interim ordinance no longer exist, no new or pending applications for zoning, rezoning or land use

permit (including, without limitation, permitted, interim or conditional use permits) for any cannabis industry related use shall be accepted, processed or approved by the County.

- Section 2. Definitions and Application. The terms “Cannabis Industry” means every item, product, person, process, action, business, or other thing related to cannabis flower and cannabis products and subject to regulation under this chapter
- Section 3. Enforcement. Chippewa County may enforce any provision of this Ordinance by any and all means authorized by Chippewa County Ordinances and State Statutes.
- Section 4. Effective Date. This Ordinance shall take effect on the date of its passage and shall be in effect until January 1, 2025, unless earlier terminated by the Chippewa County Board of Commissioners.
- Section 5. Severability. Every section, provision, or part of this Interim Ordinance is declared severable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

Candice Jaenisch
Chair, Chippewa County Board of Commissioners

ATTEST:

Michelle May
Chippewa County Auditor/Treasurer