

## **St. Louis County Cannabis Business Registration Moratorium**

### **Article I. General Provisions and Definitions**

#### **Section 1.1 Purpose**

This ordinance places a moratorium on the registration of cannabis businesses, as defined in Minnesota Statutes section 342.01, subdivision 17 (2024), for the entirety of St. Louis County through December 31, 2024. St. Louis County finds this moratorium is necessary to protect the planning process and to address the actual or potential public health risks posed by registration of cannabis businesses. The goal of the moratorium is to allow local units of government time to determine what actions are most appropriate for their respective jurisdictions relative to cannabis business operations, including zoning and enforcement implications, as well as the potential impact of those actions on the ongoing health, safety and welfare of their citizens.

#### **Section 1.2 Background**

In 2023, the Minnesota Legislature legalized adult-use cannabis and established the Office of Cannabis Management (the “OCM”), which is responsible for developing and implementing the operation and regulatory systems governing the cannabis industry in Minnesota. In 2024, the Legislature enacted revisions to further clarify the 2023 law, including one provision that authorizes the OCM’s issuance of provisional licenses and a lottery for cannabis businesses prior to January 1, 2025.

The OCM controls the application and approval process for cannabis businesses. The OCM is currently engaged in the rulemaking process, which will directly impact the registration and implementation procedures for cannabis businesses under the Minnesota cannabis law. The rulemaking process will not be completed prior to December 31, 2024.

Minnesota Statutes section 342.13(e) (2024) allows for a local unit of government to adopt an interim ordinance to protect the planning process, including prohibition of the registration of any cannabis business through December 31, 2024.

St. Louis County is conducting an internal study and ongoing discussions regarding the registration of cannabis businesses in its jurisdiction related to zoning, enforcement, compliance checks, and consideration of concerns related to the public health, safety, and welfare of its citizens.

#### **Section 1.3 Authority**

Minnesota Statutes sections 394.21 through 394.37 and Minnesota Statutes section 145A.05 allow a county to enact ordinances and official controls on a county wide-basis, including those that address actual or potential threats to public health.

Minnesota Statutes section 342.13(e) (2024) allows for a local unit of government to adopt an interim ordinance to protect the planning process, including the prohibition of the registration of any cannabis business through December 31, 2024.

## **Article II. Moratorium Established**

### **Section 2.1 Moratorium**

In accordance with the purpose set forth above and pursuant to the authority of Minnesota Statutes sections 342.13(e) (2024) and 145A.05 (2023), a moratorium is imposed on the registration of cannabis businesses in the entirety of St. Louis County through December 31, 2024.

### **Section 2.2 Effective Date**

This Ordinance shall take effect on the date of its enactment and shall be in effect through December 31, 2024.

### **Section 2.3 Prohibition**

No person, firm, entity, or corporation shall operate a cannabis business within St. Louis County through December 31, 2024.

## **Article III. Administration and Enforcement**

### **Section 3.1 Enforcement**

St. Louis County may enforce any provision of this Ordinance by any means allowed by local, state or federal law.

### **Section 3.2 Severability**

Every section, provision, or part of this Ordinance is declared to be severable from every other section, provision, or part hereof to the extent that, if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, such holding shall not invalidate any other section, provision, or part hereof.

## **Article IV. Repealer**

This Ordinance will be repealed at 11:59 p.m. on December 31, 2024.