

**CITY OF MARSHALL  
ORDINANCE 24-024**

**AN ORDINANCE AMENDING CHAPTER 22, ARTICLE VIII, SECTION 233  
VIOLATIONS**

The Common Council of the City of Marshall do ordain:

**SECTION 1:**        **AMENDMENT** “Section 22-233 Violations” of the Marshall Municipal Code is hereby *amended* as follows:

**AMENDMENT**

Section 22-233 Violations

- (a) **Notice.** Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of their right to be heard on the accusation.
- (b) **Hearings.** If a person accused of violating this article so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.
- (c) **Hearing officer.** The hearing officer for any violations of this article shall be the city administrator or a person duly designated by the city administrator. It is not necessary that criminal charges be brought in order to support a determination of a registration violation nor does the dismissal or acquittal of such a criminal charge operate as a bar to adverse registration actions under this chapter.
- (d) **Decision.** If the hearing officer determines that a violation of this article did occur, that decision, along with the hearing officer's reasons for finding a violation, and the penalty to be imposed for a violation of this article, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.
- (e) **Final Decision.** Following the hearing, the City Administrator or their designee will notify the Council of the Decision. If the hearing officer recommended denial, revocation or suspension of the registration, the Council may continue consideration of the registration or renewal to accommodate necessary notification to the Office or may temporarily suspend the registration upon such terms and conditions as it deems reasonable and necessary to accomplish the purposes of this chapter. The decision by the City Council is final and not appealable but is subject to licensing decisions by the Office.
- (f) **Misdemeanor prosecution.** Nothing in this article shall prohibit the city from seeking prosecution as a misdemeanor for any alleged violation of this article. If the city elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.

- (g) **Notification to the Office.** Within 7 days of any decision which impacts a state licensed Cannabis License Holder, as that term is defined in Minn. Stat. §342.01, subd. 48, the City Council shall notify the Office of the suspension and shall include the grounds for the suspension.
- (h) **Length of Suspension.** The continuation of consideration of an application or renewal for registration or the suspension of either a Cannabis Retail Business registration or Intoxicating Hemp Product Retailer registration may be for up to ~~3060~~ calendar days. The City may suspend for longer if the Office decides to suspend the license and operating privilege of the cannabis business or hemp business for a longer period or revokes the license. The City may; reinstate a registration if it determines that the violations have been resolved and it has received any necessary notification from the Office that violations have been resolved.

**SECTION 2:            EFFECTIVE DATE** This Ordinance shall take effect after its passage and publication.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

Presiding Officer

Attest

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Robert Byrnes, Mayor, City of  
Marshall

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Steven Anderson, City Clerk, City of  
Marshall