

City of Marshall
ORDINANCE NO. 23-016

**AN ORDINANCE RESCINDING EMERGENCY ORDINANCE NO. 7-12-2022
ON THE SALE OF HEMP DERIVED THC (TETRAHYDROCANNABINOLS) FOOD
AND BEVERAGES**

The Common Council of the City of Marshall, in the State of Minnesota, as follows:

SECTION 1: Recitals

WHEREAS, in July 2022, pursuant to Section 3.09 of its Charter, the City of Marshall enacted an emergency ordinance “on the sale of hemp derived THC (tetrahydrocannabinols) food and beverages”, which is set to expire on July 12, 2023; and

WHEREAS, the Legislature passed and the Governor signed HF100/SF73 (the “Act”) which establishes a regulatory framework for adult-use cannabis and lower potency hemp edibles, moves the medical cannabis program under the newly created Office of Cannabis Management, establishes taxes on regulated products, creates grants to assist individuals entering into the legal cannabis market, amends criminal penalties, provides for expungement and resentencing of certain convictions, provides for temporary regulation of hemp-derived edible cannabinoid products, reschedules marijuana, and appropriates money; and

WHEREAS, the City Council finds there is a need to study commercial activities related to (i) Cannabinoid Products, which includes Cannabis Products, Lower-Potency Hemp Edibles, and Hemp-Derived Consumer Products, (ii) Cannabis Businesses and Lower Potency Hemp Retailers and Manufacturers, and (iii) the impact of those products and businesses, as related to allowed land uses and zoning, in order to assess the necessity for and efficacy of regulation and restrictions relating to the retail sales, wholesale sales, testing, commercial growing, commercial cultivating, manufacturing, transporting, delivery of or commercial distribution of any of the products referenced herein, including through zoning ordinances or registration/licensing, if allowed, in order to protect the public health, safety, and welfares of its residents; and

WHEREAS, the City, pursuant to its police powers under its Charter, and state statutory powers, desires to put an interim ordinance in place to prohibit any business, person, or entity from offering for retail sale, wholesale, testing, commercial growing, commercial cultivating, manufacturing, transporting, delivering or commercial distribution of Cannabinoid Products, including Cannabis Products, Lower-Potency Hemp Edibles, other than lower potency products allowed in municipal liquor, or Hemp-Derived Consumer Products, including the establishment or operation as a Cannabis Business or Lower Potency Hemp Business within the jurisdictional boundaries of the City of the City of Marshall; and

WHEREAS, the emergency ordinance 7-12-2022 expires on 7-12-2023, and the Council desires to repeal that ordinance before that date; and

SECTION 2: Based on the above recitals, Ordinance No. 7-12-2022 is repealed.

Section 3. Effective Date: Ordinance No. 7-12-2022 shall be repealed upon the passage and publication of this ordinance.

Passed by the City Council of the City of Marshall this 27th of June, 2023.

Robert Byrnes, Mayor

ATTEST _____
Steven Anderson, City Clerk