

ORDINANCE NO. 347

CITY OF MAPLE PLAIN

**AN ORDINANCE AMENDING MAPLE PLAIN CITY CODE REGARDING CANNABIS
RETAIL BUSINESS REGISTRATION**

THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN DOES ORDAIN:

SECTION 1. AMENDMENT. The Maple Plain City Code Chapter 4 is hereby amended by adding the following Article 14 as set forth below:

Article 14. CANNABIS PRODUCTS

Sec. 4-690. – Definitions.

In addition to the definitions contained in Minn. Stats. §342.01, as it may be amended from time to time, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

Cannabis retail business is any place of business where any cannabis products subject to licensing and registration are available for sale to the general public. Cannabis retail businesses include, but are not limited to, cannabis microbusiness with a retail operations endorsement, cannabis mezzobusiness with a retail operations endorsement, cannabis retailer, medical cannabis retailer.

Cannabis business retail limit means that cannabis retail businesses licensed by the state shall be limited to one registration for every 12,500 residents within the city, except lower-potency hemp edible retailers shall be limited to three registrations for every 12,500 residents within the city.

Compliance check is the system used by the city to investigate and ensure that those authorized to sell products subject to licensing and registration are following and complying with the requirements of this article and state law. Compliance checks involve the use of persons under the age of 21 who purchase or attempt to purchase such products. The city may also conduct operations to determine compliance with this article and state law for purposes of education, research, and training purposes.

License is an approved license by OCM to a cannabis retail business allowing the sale of adult-use cannabis products.

Lower-Potency Hemp Edible Retailer is a cannabis retail business as defined in state statute.

OCM is the Minnesota Office of Cannabis Management.

Sale means any transfer of goods for money, trade, barter, or other consideration.

Section 4-691. – Prohibited Acts.

- (a) *License and Registration Required.* No person shall sell or offer to sell any cannabis product within the city without first having obtained a license from the state and retail registration by the city.
- (b) *Minimum Legal Age.* No person shall sell any cannabis product to any person under the age of 21. Registrants shall verify by means of government issued photographic identification that a purchaser is at least 21 years of age. Registrants shall post signage advising of the minimum legal age for purchases that is clearly visible to anyone who is making or considering a purchase of any cannabinoid product.
- (c) *Compliance.* No person shall sell or offer to sell any cannabis product in violation any provision of this article or other applicable statute or code provision.

Section 4-692. –Registration for Cannabis Retail Businesses.

- (a) *Application.* An application for a license to sell any cannabis product shall be obtained by the State of Minnesota.
- (b) *Retail Registration.* The OCM shall forward cannabis license applications to the city to certify whether the proposed business complies with local zoning ordinance and applicable state fire and building code as required by state law. The city shall provide input to the OCM within 30 days. The OCM shall issue a license to those cannabis businesses that comply with local zoning and land use laws as required by state law.
- (c) *Cannabis Business Retail Limit.* Registration by the city is limited by the cannabis business retail limit.
- (d) *Transfer.* Retail registrations may not be transferred.
- (e) *Location Change.* A cannabis retail business shall be required to submit a new application for registration if it seeks to move to a new location still within the legal boundaries of the city.
- (f) *Display.* License issued by the OCM shall be displayed in plain view of the public in the licensed premises.

Section 4-693. – Registration Fee.

No registration shall be issued under this article until the appropriate fee has been paid in full. The fee for the registration under this article shall be established by the City Council and adopted in the city's fee schedule as may be amended from time to time.

Section 4-694. – Ineligibility

The city may deny retail registration for a license on the grounds of any of the following:

- (a) Noncompliance with local zoning ordinance.
- (b) Noncompliance with state fire and building code.
- (c) The cannabis business retail limit has been reached.

Section 4-695. – Responsibility.

All licensees are responsible for the actions of their employees in regard to the sale, offer to sell, and furnishing of cannabis products on the licensed premises. The sale, offer to sell, or furnishing of any licensed product by an employee shall be considered an act of the licensee. Nothing in this section shall be construed as prohibiting the City from also subjecting the employee to any civil penalties that the City deems to be appropriate under this article, state or federal law, or other applicable law or regulation.

Section 4-696. – Compliance Checks.

All premises registered under this article shall be open to inspection by the city for compliance with all aspects of this section during regular business hours. From time to time and no less than once per calendar year, the city shall conduct compliance checks during which an underage individual will attempt to purchase cannabis products. Persons engaged in compliance checks shall not use false identification misrepresenting their age and shall respond honestly regarding their age and produce valid identification when asked. Persons engaged in compliance checks shall be over the age of 18 but under the age of 21 and will be supervised by law enforcement or other designated personnel.

Section 4-697. – Registration Suspension or Revocation; Penalties.

- (a) *Registration Suspension or Revocation.* The council shall suspend or revoke a registration upon a finding that the registrant has failed to comply with any provision of this article or other applicable statute or code provision. For a first such violation within any three-year period, the council shall impose a suspension of the registration of not less than 2 consecutive days. For a second such violation within any three-year period, the council shall impose a suspension of not less than 5 consecutive days. For a third such violation within any three-year period, the council shall revoke the registration.
- (b) *Other Penalties.* The council may elect to impose a civil penalty not to exceed \$2,000 in addition to or in lieu of suspension or revocation of the registration.
- (c) *Opportunity for Hearing.* No penalty imposed under this article shall take effect until the registrant has been provided notice of the opportunity for a hearing pursuant to the Administrative Procedures Act, Minn. Stats. §§ 14.57 to 14.70, as may be amended from time to time. If a hearing is not requested within the time afforded as stated in the notice, the entitlement to a hearing is waived and penalty may be imposed by resolution.
- (d) *Criminal Prosecution.* Nothing in this section shall be construed to prohibit the city from seeking prosecution for any alleged violation of this article.
- (e) *Notification.* The City will immediately notify OCM in writing the grounds for the suspension. OCM will provide the city and cannabis retail business a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

Section 4-698. – Hours of Operation.

Cannabis retail businesses are limited to the retail sale of cannabis products between the hours of 10 a.m. and 9 p.m.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publications as required by law.

Adopted by the City Council of the City of Maple Plain this 15th day of December 2025.

Julie Maas-Kusske, Mayor

ATTEST:

Jacob Schillander, City Administrator

Published in the _____ on _____, 2025.