

**ORDINANCE NO. 356
CITY OF NEW PRAGUE**

**AN ORDINANCE AMENDING SECTIONS 121.02 (DEFINITIONS) AND 121.03
(LICENSE REQUIRED) OF CHAPTER 121 TITLED TETRAHYDROCANNABINOL
PRODUCTS OF THE NEW PRAGUE CITY CODE**

**THE CITY COUNCIL OF THE CITY OF NEW PRAGUE, SCOTT AND LESUEUR,
COUNTIES, MINNESOTA ORDAINS:**

SECTION 1: Chapter 121 of the City Code of the City of New Prague is amended by deleting the ~~stricken~~ material as follows:

§ 121.02 DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the meaning hereinafter ascribed to them:

APPLICANT. A person, as defined herein, who completes or signs an application for a license to sell licensed products individually or on behalf of a business.

BUSINESS. The business of selling licensed products.

COMPLIANCE CHECKS. The system the city uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this article. Compliance checks may also be conducted by the city or other units of government for educational, research, and training purposes, or for investigating or enforcing federal, state, or local laws and regulations relating to licensed products.

~~—EXCLUSIVE LIQUOR STORE. An establishment that meets the definition of exclusive liquor store in M.S. § 340A.101(10).~~

LICENSE HOLDER OR LICENSEE. The owner of the business licensed to sell licensed products.

LICENSED PRODUCT OR THC PRODUCT. Any product that contains tetrahydrocannabinol and that meets the requirements to be sold for human or animal consumption under M.S. § 151.72.

MOVEABLE PLACE OF BUSINESS. Any form of business operated out of a kiosk, truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address storefront or other permanent type of structure authorized for sales transactions.

PERSON. Includes one or more natural persons, a partnership, limited liability company, corporation, including a foreign, domestic, or nonprofit corporation, a trust, a political subdivision of the state or any other business organization.

RETAIL ESTABLISHMENT. Any place of business where licensed products are available for sale to the general public, including, but not be limited to, grocery stores, tobacco products shops, convenience stores, gasoline service stations, bars, and restaurants.

SALE. Any transfer of goods for money, trade, barter, or other consideration.

SELF-SERVICE MERCHANDISING. Open displays of licensed products in any manner where any person has access to the licensed products without the assistance or intervention of the licensee or the licensee's employee. Assistance or intervention means the actual physical exchange of the licensed product between the customer and the licensee or employee.

VENDING MACHINE. Any mechanical, electric, or electronic, or other type of device that dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

§ 121.03 LICENSE REQUIRED.

(A) No person shall sell or offer to sell any licensed product without having obtained a license to do so from the city. However, businesses that have received a license to sell lower-potency hemp edibles, as defined in M.S. § 342.01, from the Minnesota Office of Cannabis Management and have registered with the city pursuant to §§ 121.20 through 121.30 of this code are not required to obtain a city license to sell lower-potency hemp edibles.

(1) No license shall be issued to a movable place of business as per § 121.06. Only fixed location businesses shall be eligible to be licensed under this chapter.

~~—(2) No license shall be issued to an exclusive liquor store as defined in M.S. § 340A.101(10).~~

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication, in accordance with Section 3.13 of the City Charter.

Introduced to the City Council of the City of New Prague, Minnesota, this 19th day of May, 2025.

The required 10 days posted notice was completed on the City Website and City Hall Bulletin Board on May 20th, 2025.

Passed by the City Council of the City of New Prague, Minnesota, this 2nd day of June, 2025 and to be published on the 12th day of June, 2025.

Bruce Wolf, Acting Mayor

State of Minnesota)
)ss.
County of Scott & Le Sueur)

(CORPORATE ACKNOWLEDGMENT)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2025.

Notary Public

ATTEST: _____
Joshua M. Tetzlaff, City Administrator

State of Minnesota)
)ss. (*CORPORATE ACKNOWLEDGMENT*)
County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2025.

Notary Public

THIS INSTRUMENT DRAFTED BY:

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