

Daniel Buchholtz

From: Daniel Buchholtz
Sent: Wednesday, July 10, 2024 10:18 AM
To: Barbara Goodboe-Bisschoff
Cc: John Thames (john.thames@carsoncs.net)
Subject: RE: Minnesota mandate

Barbara,

Thank you for your email and sharing your thoughts on the city's approach to cannabis sales.

Minn. Stat. 342.13 gives local governments the authority to regulate the time, place and manner of cannabis business operations within their boundaries. However, we cannot outright prohibit the establishment of cannabis businesses that are licensed by the state. While Minn. Stat. 342.32 permits cities to establish, own and operate municipal cannabis stores, it does not explicitly authorize partnerships between municipalities and private entities selected through the State lottery system. As you know, the City derives its powers from those explicitly given to it by the State. City Attorney Thames will need to weigh in on the legalities of your idea. I have included him on this email for his thoughts.

The authority given under M.S. 342.13 gives us the authority to determine the zoning districts such businesses can be located in, hours of operation, and performance standards under which the business operates. It is under this authority, along with the fact we can limit the number of cannabis licensees to 1 within the City, that gives us the best chance to regulate the sale of cannabis effectively to preserve the health, safety and welfare of the residents of Spring Lake Park. I am working on a draft of that ordinance right now that I will be sending to the City Attorney by the end of the month. I hope to have a draft ready for a work session in September or October.

I appreciate your concerns about cannabis sales in the City. I want to assure you that staff is taking those concerns into account as we are drafting the cannabis ordinance.

Thanks!

Dan