

**CITY OF GLYNDON, MINNESOTA
COUNTY OF CLAY**

ORDINANCE NO. 196

**AN ORDINANCE TO REGULATE CANNABIS BUSINESS
WITHIN THE CITY OF GLYNDON**

THE CITY COUNCIL OF THE CITY OF GLYNDON HEREBY ORDAINS:

SECTIONS:

- 1 Administration
- 2 Definitions
- 3 Registration of Cannabis Businesses
- 4 Requirements for Cannabis Businesses
- 5 Temporary Cannabis Events
- 6 Lower-Potency Hemp Edibles
- 7 City of Glyndon Government as a Cannabis Retailer
- 8 Use in Public Places

SECTION 1 - ADMINISTRATION

Subd. 1. Findings and Purpose

The City of Glyndon makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, Chapter 342, which authorizes the City of Glyndon to protect the public health, safety, and welfare of the City of Glyndon residents by regulating cannabis businesses within the legal boundaries of the City of Glyndon.

The City of Glyndon finds and concludes that the proposed provisions are appropriate and lawful land use regulations for the City of Glyndon, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

Subd. 2. Authority & Jurisdiction

The City of Glyndon has the authority to adopt this ordinance pursuant to:

A.) Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions upon the time, place, and manner of the operation of a cannabis business, provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.

B.) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.

C.) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.

D.) Minn. Stat. 462.357, regarding the authority of a local jurisdiction to adopt zoning ordinances.

This ordinance shall be applicable within the legal boundaries of the City of Glyndon.

Subd. 3. Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Subd. 4. Enforcement

The City Administrator for the City of Glyndon is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

SECTION 2 - DEFINITIONS

Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meaning in this ordinance.

1. **Cannabis:** As defined in Minn. Stat. 342.01.
2. **Cannabis Cultivation:** A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. **Cannabis Retail Businesses:** A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers.
4. **Cannabis Retailer:** Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. **Daycare:** A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
6. **Lower-potency Hemp Edible:** As defined in Minn. Stat. 342.01.
7. **Office of Cannabis Management:** Minnesota Office of Cannabis Management, referred to as "OCM" or the "Office" in this ordinance.
8. **Place of Public Accommodation:** A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodation are extended, offered, sold, or otherwise made available to the public.
9. **Preliminary License Approval:** OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. **Public Place:** A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.

11. **Residential Treatment Facility:** As defined in Minn. Stat. 245.462.
12. **Retail Registration:** An approved registration issued by the City of Glyndon to a state-licensed cannabis retail business.
13. **School:** A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
14. **State License:** An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

SECTION 3 - REGISTRATION OF CANNABIS BUSINESSES

Subd. 1. Consent to Registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within The City of Glyndon without first registering with the City of Glyndon.

Any state-licensed cannabis retail business that sells to a customer, consumer or patient without valid retail registration shall incur a civil penalty not to exceed \$2,000 for each violation.

Subd. 2. Compliance Checks Prior to Retail Registration

Prior to issuance of a cannabis retail business registration, the City of Glyndon shall conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, the City of Glyndon shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

Subd. 3. Registration & Application Procedure

A.) Fees

A registration fee shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal of retail registration fee imposed by the City of Glyndon shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, for the adult-use retail business.

B.) Registration Submittal

The City of Glyndon shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

1. An applicant for a retail registration shall fill out the Minnesota Office of Cannabis Management Retail Registration Form and Checklist, as provided by the City of Glyndon. Said form shall include, but is not limited to:

- a. Full name of applicant.
- b. The address for the property on which the retail registration is sought.
- c. Verification that property taxes are paid in full.
- d. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.

2. The applicant shall include with the form:

- a. The registration fee as required.
- b. A copy of a valid state license or written notice of OCM license preapproval.
- c. A map showing that the retail store is 1,000 feet or more from any school; 500 feet or more from any daycare; 500 feet or more from any public park, playground, athletic field; 500 feet or more from any residential treatment facility, 500 feet or more from any other cannabis retail business and 400 feet or more from a dwelling on an adjacent property. (Section 4 Subd. 1)

3. Once an application is considered complete, the City Administrator shall inform the applicant as such, process the application, and forward the application to the City Council for approval or denial.

4. The registration fee shall be non-refundable.

C.) Application Approval

1. A state-licensed cannabis retail business registration shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 3 Subd. 6.

2. A state-licensed cannabis retail business registration shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.

3. A state-licensed cannabis retail business registration that meets the requirements of this ordinance shall be approved.

D.) Annual Compliance Checks

Any failures under this section must be reported to the Office of Cannabis Management.

1. A local unit of government shall conduct compliance checks of every cannabis business and hemp business with a retail registration issued by the local unit of government. The checks shall assess compliance with age verification requirements and with any applicable local ordinance.

2. The local unit of government must conduct unannounced age verification compliance checks at least once each calendar year. Age verification compliance checks must involve persons at least seventeen (17) years of age but under the age of twenty-one (21) who, with the prior written consent of a parent or guardian if the

person is under the age of eighteen (18), attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

E.) Location Change

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 3 Subd. 3B if it seeks to move to a new location that is within the legal boundaries of the City of Glyndon.

Subd. 4. Renewal of Registration

The City of Glyndon shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on Minnesota Office of Cannabis Management Retail Registration Form and Checklist.

A cannabis retail registration issued under this ordinance shall not be transferred.

A.) Renewal Fees

The City of Glyndon may charge a renewal fee for the registration starting at the second renewal, which shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

B.) Renewal Application

The application for renewal of a retail registration shall include but is not limited to the items required under Section 3 Subd. 3B.

Subd. 5. Suspension of Registration

A.) When Suspension is Warranted

The City of Glyndon may suspend a cannabis retail business's registration if it violates the ordinance of the City of Glyndon or poses an immediate threat to the health or safety of the public. The City of Glyndon shall immediately notify the cannabis retail business in writing the grounds for the suspension.

B.) Notification to OCM

The City of Glyndon shall in writing immediately notify the OCM of the grounds for the suspension. OCM will provide City of Glyndon and cannabis business retailer a response to the complaint within seven (7) calendar days and perform any necessary inspections within thirty (30) calendar days.

C.) Length of Suspension

The suspension of a cannabis retail business registration may be for up to thirty (30) calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

The City of Glyndon may reinstate a registration if it determines that the violation(s) have been resolved.

The City of Glyndon shall reinstate a registration if OCM determines that the violation(s) have been resolved.

D.) Civil Penalties

Subject to Minn. Stat. 342.22, subd. 5(e) the City of Glyndon may impose a civil penalty, as specified below.

For a first violation, a civil penalty of \$250.00 shall be imposed. For a second violation, a civil penalty of \$500.00 shall be imposed. For a third violation, a civil penalty of \$750.00 shall be imposed. Payment of civil penalties may be enforced by Civil Action.

Subd. 6. Limiting of Registrations

The City of Glyndon may limit the number of cannabis retail businesses by zoning and land use restrictions and minimum buffer requirements. Cannabis retailers, cannabis mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with a retail operations endorsement to no fewer than one registration for every 12,500 residents.

SECTION 4 - REQUIREMENTS FOR CANNABIS BUSINESSES

Subd. 1. Minimum Buffer Requirements

The City of Glyndon shall prohibit the operation of a cannabis business within 1,000 feet of a school.

The City of Glyndon shall prohibit the operation of a cannabis business within 500 feet of a church, daycare, or library.

The City of Glyndon shall prohibit the operation of a cannabis business within 400 feet of a dwelling on an adjacent property.

The City of Glyndon shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.

The City of Glyndon shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

The City of Glyndon shall prohibit the operation of a cannabis retail business within 500 feet of another cannabis retail business.

Nothing in Section 4 Subd. 1 shall prohibit an active cannabis business or a cannabis business seeking renewal of its registration from continuing operation at the same site if a (school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone after the business is established.

Lower potency hemp edible retailers are exempt from these buffer requirements.

Subd. 2. Zoning and Land Use

A.) Cultivation

Indoor Cultivation of cannabis-by-Cannabis businesses licensed or endorsed for cultivation is a conditional use, by a conditional use permit, and only in the following zoning districts:

1. "C-1" General Commercial District (Indoor)

Outdoor Cultivation of cannabis-by-Cannabis businesses licensed or endorsed for cultivation is a conditional use, by a conditional use permit, and only in the following zoning district:

1. “C-2” Agricultural/Commercial District (Indoor/Outdoor)

B.) Cannabis Manufacturer

Manufacture of cannabis products by Cannabis businesses licensed or endorsed for cannabis manufacturer is a conditional use, by a conditional use permit, and only in the following zoning districts:

1. “C-1” General Commercial District

C.) Hemp Manufacturer

Manufacture of low-potency hemp edible products by businesses licensed or endorsed for low-potency hemp edible manufacturer is a permitted use only in the following zoning district:

1. “C-1” General Commercial District

D.) Wholesale

Wholesale of products authorized by Minn. Stat. Section 342.34 by Cannabis businesses licensed or endorsed for wholesale is a conditional use, by a conditional use permit, and only in the following zoning districts:

1. “C-1” General Commercial District

E.) Cannabis Retail

Retail sale of cannabis flower or cannabis products and other products authorized by Minn. Stat. Section 342.27 by Cannabis businesses licensed or endorsed for cannabis retail is a conditional use, by a conditional use permit, and only in the following zoning districts:

1. “C-1” General Commercial District

Subd. 3. Hours of Operation

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, and cannabis products between the hours of 10:00 a.m. and 9:00 p.m.

Subd. 4. Advertising

Cannabis businesses are permitted to erect signs on the exterior of the building or on the property of the business in accordance with the City’s sign regulations in Ordinance #181, Chapter 23 of the Glyndon City Code.

SECTION 5 - TEMPORARY CANNABIS EVENTS

Subd. 1. License or Permit Required for Temporary Cannabis Events

A cannabis event organizer license entitles the license holder to organize a temporary cannabis event lasting no more than four (4) days.

A license or permit is required to be issued and approved by the City of Glyndon prior to holding a Temporary Cannabis Event.

Subd. 2. Registration & Application Procedure

A.) Fees

A registration fee, as established in the City of Glyndon's fee schedule, Ordinance #166, shall be charged to applicants for Temporary Cannabis Events.

B.) Application Submittal & Review

The City of Glyndon shall require an application for Temporary Cannabis Events.

1. An applicant for a Temporary Cannabis Event shall fill out an application form, as provided by the City of Glyndon. Said form shall include, but is not limited to:

- a. Full name of the property owner and applicant.
- b. Address, email address, and telephone number of the applicant.
- c. Address of the event location.
- d. Description of the event including dates and hours.

2. The applicant shall include with the form:

- a. The application fee as required by Section 5 Subd. 2A.
- b. A copy of the OCM cannabis event license application submitted pursuant to Minn. Stat. 342.39 Subd. 2.

3. The application shall be submitted to the City Administrator, or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

4. Once an application is considered complete, the City Administrator shall inform the applicant as such, process the application fees, and forward the application to the City Council for approval or denial.

5. The application fee is non-refundable.

C.) Application Approval

The application for a license for a Temporary Cannabis Event shall meet the following standards:

1. No on-site consumption of cannabis products is allowed.
2. No more than 25 people can attend the temporary cannabis event at the same time.
3. A temporary cannabis event shall only be held indoors at a licensed cannabis retail business.
4. A temporary cannabis event cannot last more than four (4) days.
5. A temporary cannabis event can only be held between the hours of 10:00 a.m. and 9:00 p.m.

A request for a Temporary Cannabis Event that meets the requirements of this section shall be approved.

A request for a Temporary Cannabis Event that does not meet the requirements of this section shall be denied. The City of Glyndon shall notify the applicant of the standards not met and basis for denial.

SECTION 6 - LOWER-POTENCY HEMP EDIBLES

Subd. 1. Sale of Low-Potency Hemp Edibles

The sale of Low-Potency Hemp Edibles is permitted by registered lower potency hemp edible retailers.

Subd. 2. Zoning Districts

Low-Potency Hemp Edible business is a conditional use, by a conditional use permit, and only in the following zoning districts:

1. "C-1" General Commercial District

Subd. 3. Sales within a Municipal Liquor Store

The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.

SECTION 7 - CITY OF GLYNDON GOVERNMENT AS A CANNABIS RETAILER

The City of Glyndon may establish, own, and operate one municipal cannabis retail business, subject to the restrictions in this chapter.

The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under Section 3 Subd. 6.

The City of Glyndon shall be subject to all of the same retail license requirements and procedures applicable to all other applicants.

SECTION 8 - USE IN PUBLIC PLACES

As detailed in Ordinance No. 195 of the Glyndon City Code, no person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place as defined therein, unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use cannabis products.

Changes made to the City of Glyndon's 2025 Fee Schedule Ordinance #166:

Cannabis and Lower-Potency Hemp Products *INITIAL* Registration Fee – 1ST Time – Covers 2 Years

<i>Cannabis Microbusiness</i>	<i>up to \$0.00 + \$1,000.00 = \$1,000</i>
<i>Cannabis Mezzobusiness</i>	<i>up to \$500.00 + \$1,000.00 = \$1,500</i>
<i>Cannabis Retailer</i>	<i>up to \$500.00 + \$1,000.00 = \$1,500</i>
<i>Cannabis Retailer: Municipal Cannabis Store</i>	<i>up to \$500.00 + \$1,000.00 = \$1,500</i>
<i>Medical Cannabis Combination Business</i>	<i>up to \$500.00 + \$1,000.00 = \$1,500</i>
<i>Lower-Potency Hemp Edible Retailer</i>	<i>up to \$125.00 + \$125.00 = \$250</i>

Cannabis and Lower-Potency Hemp Products *RENEWAL* Registration Fee – Yearly after the 2nd Year

<i>Cannabis Microbusiness</i>	<i>up to \$1,000.00</i>
<i>Cannabis Mezzobusiness</i>	<i>up to \$1,000.00</i>
<i>Cannabis Retailer</i>	<i>up to \$1,000.00</i>
<i>Cannabis Retailer: Municipal Cannabis Store</i>	<i>up to \$1,000.00</i>
<i>Medical Cannabis Combination Business</i>	<i>up to \$1,000.00</i>
<i>Lower-Potency Hemp Edible Retailer</i>	<i>up to \$125.00</i>

<u>Temporary Cannabis Event</u>	<i>\$500.00 per event</i>
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Violation Administrative Penalties

*Sale of Cannabis or Lower-Potency Hemp
Products without a valid retail registration*

\$2,000.00 per offense

Cannabis Ordinance Violations

*\$2,000.00 per offense and/or registration suspension not to
exceed 30 days*

Changes made to the City of Glyndon's Zoning Ordinance #181:

Article 2 Chapter 3.02 Definitions

Cannabis: *The words and phrases and definitions contained in Section 2 of this Code and Minn. Stat. 342.01, and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.*

Cannabis Cultivation: *A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.*

Cannabis Retail Businesses: *A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers.*

Cannabis Retailer: *Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.*

Lower-potency Hemp Edible: *As defined in Minn. Stat. 342.01.*

Office of Cannabis Management: *Minnesota Office of Cannabis Management, referred to as "OCM" or the "Office" in this ordinance.*

Public Place: *A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.*

Residential Treatment Facility: *As defined in Minn. Stat. 245.462.*

Add this sentence under "School" in Ordinance #181: *A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.*

Chapter 16 Section 16.02 of the Glyndon City Code is hereby amended to add the following to the identified Section:

General Commercial District (C-1)

Section 16.02. Permitted Uses.

A. NON-RESIDENTIAL USES.

g. General Retail:

xxvii. Cannabis and Low Potency Hemp Retail - Cannabis Cultivation (indoor), Cannabis and Hemp Manufacturing, Cannabis Wholesale and Cannabis and Low Potency Hemp Edible Retail.

Chapter 17 Section 17.04 of the Glyndon City Code is hereby amended to add the following to the identified Section:

Agriculture/Commercial District (C-2)

Section 17.04. Conditional Uses.

A. NON-RESIDENTIAL USES.

h. Outdoor cultivation of cannabis-by-cannabis business licensed or endorsed for cultivation.

Adopted by the City Council of the City of Glyndon, Minnesota this _____ day of _____, 2025.

Joe Olson, Mayor

ATTEST:

Justin Vogel, City Administrator