

Cannabis Workshop

City Council Work Session
2 August 2023

Legalization

- Chapter 63 legalizes Adult Use cannabis
- Legalization of possession and home growth effective 1 August 2023
- State expects regulatory framework to be in place by January 2025



SHAKOPEE | MN
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Possession Restrictions

- Public/charter schools or on school buses
- State correctional facilities
- Federal property
- If under 21 years old
- In vehicle if open and not in trunk

Use Restrictions

- Where prohibited by the Clean Air Act
- While operating a motor vehicle
- Public or charter schools and school buses
- State correctional facilities
- In a location where the smoke or vapor may be inhaled by a minor
- On Federal property
- If under 21 years old

City may...

- Adopt an ordinance prohibiting use in a public place if definition of a public place does not include
 - Private residence, including person's yard
 - Private property not generally accessible by the public, unless prohibited by the owner
 - Licensed on-site consumption or event

Growing/Sale

- Growing Cannabis
 - Up to eight plants (four mature)
 - Only be grown in an enclosed locked space that is not open to public view
- Selling Cannabis
 - Medical
 - Edibles (under city ordinance until agency established)
 - Holding pattern until Office of Cannabis Management begins licensing
 - Cannabis sales are still illegal!

City Role in Regulation Process

- Potential business applies for a licenses through the Office of Cannabis Management (OCM)
- OCM consults city for zoning approval and feedback
- City issues registrations to cannabis businesses once they receive a license
- City conducts compliance checks and may suspend registrations if warranted
- City may collect registration fees
- City provided 10% of tax revenue

To do list now...

- Consider a moratorium
 - Reality is that there will be no licensing until the bureaucracy is established
 - That is projected to be Jan 2025 which is when the moratoriums are allowed to be extended
 - Growing? Unanswered question
- Establish City Use Ordinance
 - May adopt ordinance to prohibit in “public places” – City can define with limitations
 - Parks, City Property, Trails, Streets, Sidewalks – but can be more expansive
- Ensure current code “no smoking” areas include cannabis

To do list cont.

- Under 21 use/possession has no actual penalties – local ordinance?
- Start looking at where to allow cannabis businesses
 - Zoning (CUP? / Allowed use?)
- License limits
 - No fewer than one registration per every 12,500 residents
 - Amount of state funds depend upon number of licenses
 - The more licenses, the more \$
 - 37,500-49,999 population = 3 licenses
- Municipal Cannabis?