

ORDINANCE NO. 25-04

CITY OF GOOD THUNDER

AN ORDINANCE CREATING SECTION 117 OF THE GOOD THUNDER CITY CODE CREATING REGULATIONS REGARDING CANNABIS BUSINESSES

WHEREAS, the City Council of the City of Good Thunder is the official governing body of the City of Good Thunder, Minnesota ("the City"); and

WHEREAS, the State of Minnesota has enacted Minnesota Statute Chapter 342 which has legalized cannabis and cannabis businesses; and

WHEREAS, the City Council has reviewed this matter and believes that it is necessary to regulate these businesses; and

WHEREAS the City Council at its regular meeting of on July 14, 2025, enacted ordinance number 25-04, revising the Good Thunder City Code by creating section 117 Regulations Regarding Lawful Cannabis Sales.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOOD THUNDER, MINNESOTA, does hereby ordain as follows:

The City Council for the City of Good Thunder finds and concludes that it is appropriate under Minnesota Statutes, Chapter 342 and its inherent police powers that is appropriate for the City to regulate cannabis businesses within the city limits of the City of Good Thunder, and that he 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

The City Council for the City of Good Thunder does hereby amend the provisions of the City Code by enacting Section 117 regarding the regulating of cannabis businesses in the city and ordains as follows:

SECTION 155 REGULATIONS REGARDING CANNABIS BUSINESSES

Subd. 1. Administration.

1.1. Purpose. The purpose of this ordinance is to implement the provisions of Minnesota Statutes, Chapter 342, and the City's inherent police powers which authorize the City of Good Thunder to protect the public health, safety and welfare of the City, by regulating cannabis businesses within the legal boundaries of the City.

1.2. Authority and Jurisdiction.

- (a) The City of Good Thunder has the authority to adopt this ordinance pursuant to Minnesota Statute 342.13 (c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place and manner or the operation of a cannabis business.
- (b) Minnesota Statute 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower potency hemp edible retail businesses
- (c) Minnesota Statute 152.0263 Sub 5 regarding the use of cannabis in public places
- (d) Minnesota Statute 462.357 regarding the authority of a local authority to adopt zoning ordinances.

1.3 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.

1.4 Enforcement. The City Clerk or his/her designee shall be 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 the ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

1.5 Definitions. Unless otherwise noted in this ordinance, words and phrases contained in Minnesota Statute 342.01 and rules promulgated to any of these acts, shall have the same meanings in this ordinance.

(a) **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 to perform other acts as approved by the Office of Cannabis Management.

(b) **Cannabis Retail Business.** A retail location and retail locations of mezzobusinesses with retail operations endorsement, microbusinesses with retail operations endorsement, medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.

(c) **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.

- (d) **Daycare.** A location licensed with the Minnesota Department of Human Services to provide the care of a child or children in a residence outside of the child (ren)’s own home for gain or otherwise, for any part of a 24-hour day.
- (e) **Office of Cannabis Management.** Minnesota Office of Cannabis Management, which may be referred to as “OCM” in this ordinance.
- (f) **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 accommodations are extended, offered, sold or otherwise made available to members of the general public.
- (g) **Preliminary License Approval.** OCM pre-approval for a cannabis business license for applicants who qualify under OCM rules or Minnesota Statutes.
- (h) **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.
- (i) **Residential Treatment Facility.** A defined under Minnesota Statute 245.462 sub 23.
- (j) **Retail Registration.** An approved registration issued by the City of Good Thunder to a state-licensed cannabis retail store.
- (k) **School.** A public school as defined by Minnesota Statute 120A.05 or a nonpublic school that meets the requirements under Minnesota Statute 120A.04
- (l) **State License.** An approved license issued by the State of Minnesota’s Office of Cannabis Management to a cannabis retail business.

Sub 2. Registration of Cannabis Business.

2.1 Consent to Registering of Cannabis Business. No individual or entity may operate a state licensed cannabis retail business within the City of Good Thunder without first registering with the City of Good Thunder.

2.2 Compliance Checks. Prior to the registration of a cannabis business the City shall conduct a preliminary compliance check to ensure compliance with local ordinances.

2.3 Registration and Application Fees. A registration fee, as established in the City of Good Thunder’s fee schedule shall be charged to

applicants. The amount of the fee will depend on the type of business license applied for.

2.4 Application Submittal. The City of Good Thunder shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minnesota Statute 342.22. The applicant for retail registration shall complete an application form, as provided by the City. Said form shall contain but not be limited to the following:

- (a) The full name of the property owner and applicant.
- (b) The address, email address, and telephone number of the applicant.
- (c) If the applicant is an entity the names and addresses of any party that owns 25% or more of the entity
- (d) The address and parcel ID for the property which the retail registrations are sought.
- (e) Certification that the applicant complies with the requirements of local ordinances.

The applicant shall submit with the form any application fee that is due, a copy of a valid state license or written notice of OCM license preapproval, a copy of a state licensed identification for an individual or documentation for the Minnesota Secretary of State verifying the entity is in good standing.

Once the application is considered complete, the City shall inform the applicant of this, and the application will be forwarded to the City Clerk or their designee for approval or denial.

The application fee shall be non-refundable once processed.

2.5 Application Approval. A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted. A state-licensed cannabis retail application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance. A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

2.6 Annual Compliance Checks. The City of Good Thunder shall complete at a minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements as required under Minnesota Statute 342.22 Sub 4(b) and Minnesota Statute 342.24 and this ordinance.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 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.

A failure of the compliance check will be reported to the OCM.

2.7 Location Change. A state-licensed cannabis retail business shall be required to submit a new application for registration if it seeks to move to a new location within the City of Good Thunder.

2.8 Renewal of Registration. A state-licensed cannabis retail business shall apply to renew registration on a form provided by the city on an annual basis and shall pay the renewal fee as required under city code.

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

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

The length of the suspension may be up to thirty (30) days unless the OCM suspends for a longer period. The City of Good Thunder shall take no action on reissuing the license until a determination of the OCM has been made. A business may not make sales to customers if their registration is suspended.

2.10 Civil Penalties. Subject to Minnesota Statute 342.22 sub (5) the City of Good Thunder may impose a civil penalty as specified in the City's Fee Schedules for registration violations.

2.11 Limitation of Registrations. The City of Good Thunder shall limit the number of cannabis retail businesses to two (2). In addition to the two retail cannabis registrations for higher potency THC, Cannabis or Marijuana products the City of Good Thunder will provide for up to five (5) retail cannabis registrations for lower potency THC of Cannabis products

Sub 3. Requirements for Cannabis Business

3.1 Minimum Buffer Requirements.

- (a) **School.** A cannabis business shall not be located within 1,000 feet of School.
- (b) **Day-Care.** A cannabis business shall not be located within 500 feet of a Day-care.

- (c) **Residential Treatment Facility.** A cannabis retail business shall not be located within 500 feet of a residential treatment facility.
- (d) **Park/Attraction.** A cannabis retail business shall not be located within 500 of a public park or any attraction that is regularly used by minors including playgrounds and athletic fields.
- (e) **Cannabis Retail Establishment.** A cannabis retail business shall not be located with 500 feet of another cannabis retail business.

Sub 4. Hours of Operation. Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 8:00 a.m. and 1:00 a.m., Monday through Saturday and from 10:00 a.m. to 1:00 a.m. on Sunday. No sales will be allowed from 1:00 a.m. to 8:00 a.m. Monday through Saturday and 1:01 a.m. and 10:00 am on Sundays.

Sub 5. License Permit for Temporary Cannabis Events.

5.1 License Required. An event organizer who has received a license and all other permission to hold a temporary event in the City of Good Thunder may apply for a Temporary Event Cannabis License. They must provide the following:

- (a) The applicant for a temporary cannabis event permit shall complete a form as provided by the city that will require the full name and event organization or organizer and the contact information for the same
- (b) A copy of the OCM cannabis application as submitted to the OCM
- (c) proof of insurance

Any license issues by the City shall not be good for more than four (4) days.

Sub 6. Zoning and Land Use. Cannabis business will be allowed in the following zoning districts:

6.1 Cannabis Cultivation Business. Cannabis businesses licensed or endorsed for cultivation are permitted as a permitted use in A-1 (Agriculture Residential District) and a conditional use in R-1 (Residential).

6.2 Cannabis Manufacturer. Cannabis businesses licensed or endorsed for cannabis manufacture are permitted as a permitted used in I-1 Industrial

6.3 Hemp Manufacturer. Businesses licensed or endorsed for low-potency hemp edible manufacturing are permitted in I-1 Industrial Districts.

6.4 Wholesale. Businesses licensed or endorsed for wholesale are permitted in I-1 Industrial District and B-2 General Business District.

6.5 Cannabis Retail. Cannabis businesses licensed or endorsed for cannabis retail are permitted in B-1 Highway Business District and B-2 General Business District.

6.6 Cannabis Transportation. Cannabis businesses licensed or endorsed for transportation are permitted in I-1 Industrial District, B-1 Highway Business District, and B-2 General Business District.

6.7 Cannabis Delivery. Cannabis businesses licensed or endorsed for delivery are permitted in B-1 Highway Business District and B-2 General Business District.

Sub 7. Use in Public Places.

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or public accommodation unless the premises is an establishment or an event license to permit on-site consumption of adult use.

Effective date. This section becomes effective on the date of its publication, or upon the publication of the summary of the Ordinance 25-04, Series as provided by M.S. Section 412-191 Sub 4 as may be amended from time to time, which meets the requirements of M.S. Section 331A.01 Sub 10 as it may be amended from time to time.

PASSED AND ADOPTED by the City Council of the City of Good Thunder, this 14th day of July, 2025.

Robert Anderson, Mayor

ATTEST:

Susan Petty, City Clerk