

ORDINANCE 2022-04

**CITY OF ST. ANTHONY VILLAGE
HENNEPIN COUNTY AND RAMSEY COUNTY, MINNESOTA**

**AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM
ON THE USE OF ANY LAND, ACCEPTANCE OF APPLICATIONS,
OR THE ISSUANCE OF ANY CITY PERMITS, FOR THE SALE
OF ANY EDIBLE CANNABINOID PRODUCTS AS DEFINED IN
MINNESOTA STATUTES SECTION 151.72**

THE ST. ANTHONY CITY COUNCIL ORDAINS AS FOLLOWS:

WHEREAS, in the 2022 Minnesota Session Laws, Chapter 98, Article 13, the Minnesota Legislature amended Minn. Stat. § 151.72 to allow the sale of certain cannabinoids derived from hemp, effective July 1, 2022; and

WHEREAS, the Minnesota Legislature’s amendments to Minn. Stat. § 151.72 define an “edible cannabinoid product” as “any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug,” and provide that an “edible cannabinoid product” may contain up to 5 milligrams per dose and 50 milligrams per package of all tetrahydrocannabinols; and

WHEREAS, the City of St. Anthony Village finds that the Minnesota Legislature’s amendments to Minn. Stat. § 151.72 relating to the sale of edible cannabinoid products have the potential to impact existing land use and the public health, safety, and welfare of the St. Anthony community; and

WHEREAS, the City of St. Anthony Village finds that the Minnesota Legislature’s amendments to Minn. Stat. § 151.72 do not preempt or prohibit appropriate local regulations surrounding the sale and distribution of edible cannabinoid products; and

WHEREAS, the City of St. Anthony Village hereby adopts this interim ordinance to allow the City adequate time to study and consider appropriate land use and other regulatory controls related to the sale of edible cannabinoid products, while in the interim protecting the City’s planning process and the health, safety, and welfare of St. Anthony residents; and

WHEREAS, the City of St. Anthony Village is presently conducting a study for the purpose of considering amendment of its official controls regarding appropriate regulations related to the sale of edible cannabinoid products; and

WHEREAS, such study is needed so the City can review its official controls, including its zoning and other regulations, to identify the potential issues and impact of edible cannabinoid products, and to potentially clarify said regulations relating to such sales as principal or accessory uses of property; and

WHEREAS, there is a need for an interim ordinance to be adopted for the purpose of protecting the planning process and the health, safety, and welfare of the citizens of the City until such a study has been completed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of St. Anthony Village, Minnesota:

1. Pursuant to Minn. Stat. § 462.355, *et seq.*, the City hereby adopts and approves the order for interim ordinance temporarily prohibiting the use of any land, and prohibiting the City from accepting any application, or issuing any City permit, for the sale of any edible cannabinoid products as defined in Minn. Stat. § 151.72, as amended, or any related or similar activity, as a principal or accessory use within any portion of the City of St. Anthony, Minnesota.
2. This ordinance shall take effect and be in full force from and after its passage pursuant to the requirements of Minn. Stat. § 462.355. It shall remain in effect for one year from the date this ordinance is passed or until the adoption of the official controls contemplated herein, whichever occurs first, after which occurrence this ordinance shall lapse, unless properly extended pursuant to applicable state law.

ADOPTED BY the St. Anthony City Council this 26th day of July, 2022.

CITY OF ST. ANTHONY VILLAGE

Randy Stille, Mayor

ATTEST:

City Clerk