

..Title

An ordinance establishing a permit requirement and process for temporary cannabis events

..Body

SECTION 1

WHEREAS, Minnesota Statutes, Chapter 342 (the “Act”), created the Office of Cannabis Management (the “OCM”), established a regulatory framework for the cannabis industry in the State of Minnesota, and provided local units of government with the authority to adopt reasonable restrictions of the time, place, and manner of the operation of cannabis businesses, provided that such restrictions do not prohibit the establishment or operation of cannabis businesses; and

WHEREAS, Section 342.39 of the Act allows individuals or entities with a cannabis event organizer license, which is issued by the OCM, to organize a temporary cannabis event lasting no more than four days, and as a condition of receiving a cannabis event organizer license from the OCM, the organizer must provide the OCM with proof that they have received local approval for their temporary cannabis event; and

WHEREAS, the City wishes to establish a temporary cannabis event permit to serve as “local approval” under the Act, and a process, requirements and fees related to the permit; and now therefore, be it

RESOLVED, the City of Saint Paul does hereby ordain:

SECTION 2

Title XXIX of the Saint Paul Legislative Code is hereby amended to include Chapter 420A, which will read as follows:

Chapter 420A. Temporary Cannabis Events.

Sec. 420A.01. Permit required.

- (a) No individual or entity may hold a temporary cannabis within the city of Saint Paul without a cannabis event organizer license from the State of Minnesota’s Office of Cannabis Management and a permit from the city of Saint Paul.
- (b) No more than three four-day, four three-day, six two-day, or 12 one-day permits, in any combination not to exceed 12 days per year, may be issued to any one organization or location.
- (c) Permits may be approved with or without on-site consumption.

Sec. 420A.02. Definitions. Unless otherwise noted in this section, the words and phrases contained in this chapter have the meanings ascribed to them in Minnesota Statutes, Chapter 342.

Act means Minnesota Statutes, Chapter 342, as is may be amended from time to time.

City means the city of Saint Paul, Minnesota.

Department means the City's Department of Safety and Inspections.

Event Organizer means any person, partnership, firm, corporation, association or other entity organizing a Temporary Cannabis Event and applying for a Permit.

License means a cannabis event organizer license issued by the OCM.

OCM means the State of Minnesota's Office of Cannabis Management.

Permit means the Temporary Cannabis Event permit issued by the City to the Event Organizer, signifying proof of local approval pursuant to Section 342.39, Subd. 2(7) of the Act.

Smoking has the meaning given in Minnesota Statutes, Section 144.413, Subd. 4.

Temporary Cannabis Event means an occurrence lasting no more than four days at which cannabis products, cannabis flower, lower-potency hemp edibles and hemp-derived consumer products will be sold and for which the Event Organizer has a cannabis event organizer license issued by the OCM.

Sec. 420A.03. Application. An Event Organizer must submit an application on a form provided by the Department. The application must include, but is not limited to:

- (a) The location, date, hours of operation, and name of the proposed Temporary Cannabis Event;
- (b) Full name, address, email address, and telephone number of the property owner for the property where the Temporary Cannabis Event is to be held and of the Event Organizer;
- (c) Written permission of the property owner to host the Temporary Cannabis Event;
- (d) A diagram of the physical layout of the Temporary Cannabis Event showing where the event will take place, including all entrances and exits that will be used by participants during the event, all cannabis consumption areas (if applicable), all cannabis retail areas where cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products will be sold, the location where cannabis waste will be stored, and any location where cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products will be stored;
- (e) Full description of the Temporary Cannabis Event's security measures as required the Act and the rules promulgated thereunder, including Minnesota Administrative Rules, Part 9810.1500;
- (f) Attestation that only Minnesota licensed cannabis businesses will be allowed to sell cannabinoid products at the event;
- (g) Attestation that the Temporary Cannabis Event will comply the Act and the rules promulgated thereunder;
- (h) Indication of whether on-site consumption is requested; and
- (i) A permit fee pursuant to Section 420A.04.

Sec. 420A.04. Fees. The City will charge a permit fee for Temporary Cannabis Events as established in Section 310.01 hereof. These fees are non-refundable.

Section 420A.05. Application Procedures; Denial, revocation or suspension.

- (a) For any Permit application or Permit issued under this chapter, the Uniform License Procedures laid out in Chapter 310.02(3) of the Saint Paul Legislative Code pertaining to applications, new applications investigation and review, notice, levels of approval, objections and renewal procedures apply to the Permit as if it were a Class T license.
- (b) Grounds for denial, revocation or suspension. The Department may deny, revoke or suspend a Permit if:
 - (a) The Event Organizer is not complying with or has a history of violations of the laws and ordinances that apply to public health, safety and morals;
 - (ii) The Event Organizer is convicted of any violation, reasonably related to the Permit activity, of any city ordinance or federal or state statute;
 - (iii) There is fraud or deception involved in the Permit application;
 - (iv) The Permit does not comply with the health, housing, fire, zoning and building regulations of the City and the State of Minnesota;
 - (v) The holding of the Temporary Cannabis Event would be detrimental to the health, welfare or safety of the City;
 - (vi) The Event Organizer fails to provide all the information required by this chapter;
or
 - (vii) The Permit is found to be in violation of provisions of this chapter.

Sec. 420A.06. Regulations Generally.

- (b) Event Organizers for permitted Temporary Cannabis Events must present their License to the city at least 24 hours prior to the Temporary Cannabis Event start time or the Permit is revoked.
- (c) Temporary Cannabis Events must follow all requirements of the Act, and the rules promulgated thereunder.
- (d) No person under the age of 21 may attend a Temporary Cannabis Event. An Event Organizer must ensure that access to their Temporary Cannabis Event is limited to individuals who are at least 21 years of age. At or near each public entrance to any area where the sale or consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products is allowed, the Event Organizer must maintain a clearly visible and legible sign consisting of the following statement: "No persons under 21 allowed." The lettering of the sign will be not less than one inch in height.
- (e) No consumption and/or sale of alcohol or tobacco is allowed at Temporary Cannabis Events.
- (f) Temporary Cannabis Events shall only be held between the hours of 8:00 a.m. and 12:00 a.m.
- (g) The Event Organizer will not permit the smoking of adult-use cannabis flower or cannabis products at any location where smoking is prohibited under Minnesota Statutes, Sections 144.413 to 144.417, or City Legislative Code, Chapter 222.
- (h) For Temporary Cannabis Events with on-site consumption, the Event Organizer
 - (i) Must get approval for on-site consumption as part of the Permit approval;
 - (ii) Must designate an area for consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those items;

- (iii) Must restrict access to areas allowing consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to individuals who are at least 21 years of age; and
- (iv) Must ensure that consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within a designated consumption area is not visible from any public place, as the term is defined in City Legislative Code, Section 222.01 (4).
- (i) All Temporary Cannabis Events in the City must provide a free-of-charge hazardous waste collection receptacle for used electronic delivery devices, as the term is defined in Minnesota Statutes, Section 609.685, Subd. 1(c). The Event Organizer must dispose of all hazardous waste in accordance with all relevant city, state and federal laws.

Section 420A.07. Enforcement.

Any person who violates any provision of this chapter or who violates any condition or requirement of a Permit will be guilty of a misdemeanor.

Section 420A.08. Severability.

If any section, provision, or portion of this chapter is deemed unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter will not be affected.

SECTION 3

This ordinance will take effect and be in force thirty (30) days following its passage, approval and publication.