



**City of Long Lake
Hennepin County, Minnesota
Ordinance No. 2023-02**

An Ordinance Amending Chapter 10 – Businesses of the City Code of Ordinances to Retitle Chapter 10 and Add Article VIII. Cannabis, Edible Cannabinoids and Drug Paraphernalia

The City Council of the City of Long Lake does hereby ordain as follows:

Section 1. The City Code of Ordinances, Chapter 10 – Businesses, is hereby amended and retitled to Chapter 10 - Businesses and Product Regulation.

Section 2. Chapter 10 is further amended to add the following new Article VIII.

Article VIII. CANNABIS, EDIBLE CANNABINOIDS, AND DRUG PARAPHERNALIA

Sec. 10-601. Public use of cannabis prohibited.

It is unlawful for any person to use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products as each is defined by state law, in a public place within the City of Long Lake. For the purposes of this section, "public place" shall not include:

- (a) A private residence, including the curtilage or yard of the same;
- (b) Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property by the owner of the property; or
- (c) The premises of an establishment or event licensed to permit on-site consumption, provided the use complies with the on-site consumption permitted.

Any violation of this Section shall be a petty misdemeanor.

Sec. 10-602. Limitations on the sale of edible cannabinoid products.

Edible cannabinoid products, as defined by Minn. Stat. § 151.72, which contain no more than 0.3% Tetrahydrocannabinol (commonly known as "THC"), may only be sold by businesses which are registered with the City and the State of Minnesota and licensed, when required by state law. To be eligible to register to sell edible cannabinoid products within the City, an applicant must comply with all of the following:

- (a) Complete a registration form, pay the applicable initial registration fee to the City, and pay an annual fee to the City promptly upon invoicing each year to maintain registration; and
- (b) Comply with all state and local registration and state licensing requirements; and

- (c) Locate the principal place of business which will conduct the sales within, and subject to the applicable provisions of, one of the following:
- (1) The B-1 Limited Business zoning district and, at the time of the application, no other business which does not qualify as a "Cannabis Business" pursuant to Minn. Stats. Chapter 342 is currently registered or licensed to sell edible cannabinoid products within that district; or
 - (2) The B-2 General Business zoning district and, at the time of the application, no other business which does not qualify as a "Cannabis Business" pursuant to Minn. Stats. Chapter 342 is currently registered or licensed to sell edible cannabinoid products within that district; or
 - (3) The B-2A Service Business zoning district and, at the time of the application, no more than one other business which does not qualify as a "Cannabis Business" pursuant to Minn. Stats. Chapter 342 is currently registered or licensed to sell edible cannabinoid products within that district; or
 - (4) The B-3 Lakeshore Business zoning district and, at the time of the application, no other business which does not qualify as a "Cannabis Business" is currently registered or licensed to sell edible cannabinoid products within that district.
- (d) The sale of edible cannabinoid products outside of the zoning districts or in excess of the applicable registration limitations set forth in section 10-602(c) is prohibited.

The City specifically intends that the requirements of this section be considered local zoning requirements or regulations for the purposes of compliance with Minn. Stat. Chapter 342.

An approved City registration enabling a business to sell edible cannabinoid products is not transferable.

Any person or principal of any business found to be engaging in unlawful commercial activity in violation of this section shall be guilty of a misdemeanor.

Sec. 10-603. Possession of drug paraphernalia prohibited.

It is unlawful for any person knowingly or intentionally to use or possess drug paraphernalia. For the purposes of this section, *drug paraphernalia* is defined as all equipment, products, and materials of any kind, except those used in conjunction with permitted uses of controlled substances pursuant to state law, which are knowingly or intentionally used primarily in (1) manufacturing a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, or (3) enhancing the effect of a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products.

Drug paraphernalia does not include the possession, manufacture, delivery, or sale of: (1) hypodermic syringes or needles or any instrument or implement which can be adapted for subcutaneous injections; or (2) products that detect the presence of fentanyl or a fentanyl analog in a controlled substance.

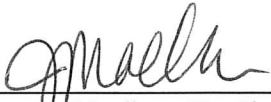
Any violation of this section shall be a petty misdemeanor.

Section 3. Effective Date. This Ordinance shall be effective upon adoption and publication according to law.

Adopted by the City Council of the City of Long Lake this 18th day of July, 2023.

Date of Adoption:	July 18, 2023
Date of Publication:	July 29, 2023
Effective Date:	July 29, 2023

ATTEST:



Jeanette Moeller, City Clerk

BY:



Charlie Miner, Mayor