

**CITY OF RICE LAKE CANNABIS ORDINANCE – ORDINANCE NUMBER 59**

Rice Lake City Council ordains as follows.

**Section 1. Definitions.**

Terms used in this ordinance and defined in Minn. Stat. ch. 342 (2023), as amended or recodified from time to time, have the meanings given them in Minn. Stat. ch. 342 (2023), as amended or recodified from time to time.

**Section 2. Geographic scope.**

This ordinance covers all areas of the City of Rice Lake.

**Section 3. Use of cannabis in public.**

- A. For purposes of this section, the term “public place” means any public park, any other property owned, leased, or controlled by a governmental unit, and any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; retail stores and other commercial establishments; educational facilities other than public schools, as defined in Minn. Stat. § 120A.05, subs. 9, 11, and 13 (2023), as amended or recodified from time to time; hospitals; nursing homes; auditoriums; arenas; meeting rooms; and common areas of apartment rental buildings. It does not include a private residence, including the person’s curtilage or yard; private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or the premises of an establishment or event licensed to permit on-site consumption.
- B. Notwithstanding section 1 of this ordinance, all other terms used in this section and defined in Minn. Stat. ch. 152 (2023), as amended or recodified from time to time, have the meanings given them in Minn. Stat. ch. 152 (2023), as amended or recodified from time to time.
- C. Pursuant to Minn. Stat. § 152.0263, subd. 5 (2023), as amended or recodified from time to time, a person is guilty of a petty misdemeanor if the person unlawfully uses cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.

**Section 4. Limit on number of licensed cannabis retailers, cannabis mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with a retail operations endorsement.**

Pursuant to Minn. Stat. § 342.13(i) (2023), as amended or recodified from time to time, the number of licensed cannabis retailers, cannabis mezzobusinesses with a retail operations endorsement, and cannabis microbusinesses with a retail operations endorsement is limited to one registration in total for every 12,500 residents.

**Section 5. Prohibition of cannabis businesses within certain distances of schools, day cares, residential treatment facilities, and attractions within public parks.**

Pursuant to Minn. Stat. § 342.13(c) (2023), as amended or recodified from time to time, the operation of a cannabis business is prohibited within 1,000 feet of a school, or 500 feet of a licensed day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.

**Section 6. Hours of operation.**

Pursuant to Minn. Stat. § 342.27, subd. 7(b) (2023), as amended or recodified from time to time, a cannabis business with a license or endorsement authorizing the retail sale of cannabis flower or cannabis products shall not sell cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between 9:00 p.m. and 2:00 a.m. the following day or between 8:00 a.m. and 10:00 a.m. For the avoidance of doubt, the prohibition in this section is in addition to the hours-of-operation prohibition in Minn. Stat. § 342.27, subd. 7(a) (2023), as amended or recodified from time to time.

**Section 7. Zoning districts for cannabis businesses and hemp businesses.**

A. The following cannabis businesses and hemp businesses shall be allowed uses in commercial south, mixed use, and mixed commercial districts established by City of Rice Lake’s Zoning Ordinance, also known as Ordinance Number 22, and not allowed in all other districts established by City of Rice Lake’s Zoning Ordinance:

- retail operations of cannabis microbusiness with retail operations endorsement;
- retail operations of cannabis mezzobusiness with retail operations endorsement;
- cannabis retailer;
- cannabis event organizer (including, for the avoidance of doubt, all cannabis events);
- medical cannabis combination business; and

- lower-potency hemp edible retailer.
- B. The following cannabis businesses and hemp businesses shall be allowed uses in mixed commercial districts established by City of Rice Lake’s Zoning Ordinance and not allowed in all other districts established by City of Rice Lake’s Zoning Ordinance:
- non-retail operations of cannabis microbusiness with retail operations endorsement;
  - non-retail operations of cannabis mezzobusiness with retail operations endorsement;
  - cannabis microbusiness without retail operations endorsement;
  - cannabis mezzobusiness without retail operations endorsement;
  - cannabis cultivator (requires Conditional Use Permit);
  - cannabis manufacturer;
  - cannabis wholesaler;
  - cannabis transporter;
  - cannabis testing facility;
  - cannabis delivery service; and
  - lower-potency hemp edible manufacturer.
- C. No cannabis business or hemp business shall operate as a “home business” or “home occupation” as those terms are defined in City of Rice Lake’s Zoning Ordinance.

**Section 8. Certification.**

The Rice Lake City staff shall be responsible for taking action on requests for certification as to proposed cannabis businesses under Minn. Stat. § 342.13(f) (2023), as amended or recodified from time to time.

**Section 9. Registration and registration fees.**

- A. No individual or entity may operate a state-licensed cannabis retail business within Rice Lake without first registering with the city.

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of \$2000 for each violation.

- B. Rice Lake City staff shall be responsible for taking action on requests for registration as to cannabis microbusinesses, cannabis mezzobusinesses, cannabis retailers, medical cannabis combination businesses, and lower-potency hemp edible retailers under Minn. Stat. § 342.22, subd. 1 (2023), as amended or recodified from time to time.

C. Pursuant to Minn. Stat. § 342.22, subd. 2(a) (2023), as amended or recodified from time to time, City of Rice Lake shall impose initial retail registration fees and renewal retail registration fees as follows

<b>Cannabis or Hemp Business</b>	<b>Initial Retail Registration Fee</b>	<b>Renewal Retail Registration Fee</b>
Cannabis microbusiness	\$0	\$1,000
Cannabis mezzobusiness	\$500	\$1,000
Cannabis retailer	\$500	\$1,000
Medical cannabis combination business	\$500	\$1,000
Lower-potency hemp edible retailer	\$125	\$125

**Section 10. Compliance checks.**

Rice Lake City Staff or other entities as directed by the City Council shall conduct or cause to be conducted the compliance checks required by Minn. Stat. § 342.22, subd. 4 (2023), as amended or recodified from time to time. Section 14. Cannabis events.

**Section 11. Cannabis Events.**

Pursuant to Minn. Stat. § 342.40, subd. 1 (2023), as amended or recodified from time to time, a cannabis event organizer must receive City of Rice Lake’s local approval in the form of a cannabis-event permit before holding a cannabis event. The cannabis event organizer must pay at the time of application for the permit a nonrefundable permit fee in the amount of \$100. The permit must require the cannabis event organizer to comply with all applicable laws, including, without limitation, Minn. Stat. § 342.40 (2023), as amended or recodified from time to time. Rice Lake City Council shall be responsible for taking action on applications for cannabis-event permits.

**Section 12. Suspension and reinstatement of retail registration.**

Under Minn. Stat. § 342.22, subd. 5 (2023), as amended or recodified from time to time, local units of government are authorized to suspend and reinstate retail registrations of cannabis businesses and hemp businesses under certain circumstances. Rice Lake staff shall be responsible for making recommendations to City Council as to any suspension or reinstatement of a retail registration issued by City of Rice Lake, and City Council shall be responsible for taking action on any such suspension or reinstatement.

The City of Rice Lake may suspend a cannabis retail business's registration if it violates any city ordinance or poses an immediate threat to the health or safety of the public. The City of Rice Lake shall immediately notify the cannabis retail business in writing the grounds for the suspension.

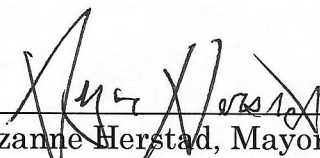
**Section 13. Severability.**

Should any part of this ordinance be declared by the courts to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or otherwise invalid, and to this end the provisions of this ordinance are severable to the fullest extent allowed by applicable law.

**Section 14. Effective date.**

This ordinance shall be effective upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City of Rice Lake, St. Louis County, Minnesota, this 9<sup>th</sup> day of December 2024.

  
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Suzanne Herstad, Mayor

  
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Attest: Toni Blomdahl, Clerk/Treasurer