

**CITY OF CREDIT RIVER  
SCOTT COUNTY  
STATE OF MINNESOTA**

**ORDINANCE NO. 2025-04**

**AN ORDINANCE AMENDING THE CREDIT RIVER CITY  
ZONING CODE PERTAINING TO CANNABIS AND HEMP BUSINESSES**

**WHEREAS**, the purpose of this ordinance is to protect public health, safety, and welfare in the city of Credit River by implementing certain regulations related to cannabis and hemp businesses within the city to an extent duly authorized under law; and

**WHEREAS**, the city council of the city of Credit River hereby finds and concludes that these regulations are appropriate, necessary, lawful, and in the best interest of the city and its residents.

**NOW THEREFORE, the City Council of Credit River, Minnesota ordains:**

**SECTION I.**

**CANNABIS AND HEMP BUSINESSES**

**Sec. 1. Definitions**

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Applicant* means an entity with a license or endorsement issued by the OCM that is applying for an initial registration or for registration renewal.

*The Act* means Minnesota Statutes, Chapter 342, as it may be amended from time to time.

*Cannabis Business* has the same meaning as defined in Minnesota Statutes, section 342.01.

*Cannabis Retailer* means a business with a cannabis retailer license or cannabis retail endorsement from OCM.

*Day care* means a location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

*OCM* means the Minnesota Office of Cannabis Management.

*Park feature* means an attraction within a public park that is regularly used by minors, including, but certainly not limited to, a playground or athletic field. These shall be designated by the City and included in a map maintained by the City.

*Potential Licensee* means an entity that has not received a license from the OCM and is seeking a pre-license certification.

*Residential treatment facility* means any facility licensed or regulated by the Minnesota Department of Human Services that provides 24-hour-a-day care, lodging, or supervision outside a person's home and which also provides chemical dependency or mental health services.

*Retailer* means every business that is licensed under the Act and required to register with the city under Minnesota Statutes, section 342.22. Including cannabis businesses and lower-potency hemp edible retailers.

*School* means a public school as defined under Minnesota Statutes, section 120A.05 or a nonpublic school that must meet the reporting requirements under Minnesota Statutes, section 120A.24. School does not include a home school.

## **Sec. 2. Certification of cannabis businesses license application**

The city administrator is authorized to certify whether a proposed cannabis business complies with the city's zoning ordinances, this ordinance, and if applicable, with state fire code and building code pursuant to Minnesota Statutes, section 342.13.

Potential licensees are responsible for obtaining all necessary zoning approvals prior to the city receiving the request for certification from the OCM. If a potential licensee fails to obtain necessary zoning approvals prior to the city receiving a request for certification, the city will inform the OCM that the potential licensee does not meet zoning and land use laws. If, at the time the city receives a request for zoning certification, there are no further intended alterations to the building where the business is to be conducted, the city will also certify compliance with building and fire code regulations, provided that the potential licensee has obtained inspections prior the city's receipt of a request for certification from the OCM. Building and fire code inspections will be valid for 1 year from completion.

## **Sec. 3. Retail Registrations**

(A) *Retail Registration Required.* Before making retail sales to customers or patients, a retailer must register with the city. Making retail sales to customers or patients without an active registration is prohibited. Subject to Minnesota Statutes, section 342.22, subd. 5(e) the city may impose a civil penalty, as specified in the city's fee schedule, for making a sale to a customer or patient without a valid registration from the city and a valid license from the OCM.

(B) *Retail Registration Limits*

- (1) The city will issue one cannabis retailer registration pursuant to this ordinance, except that the city will not issue any registrations if there is one registration per 12,500 residents in Scott County.

- (2) The number of registrations available will be calculated by dividing the state demographer's estimate of the city's population by 12,500 and rounding up to the nearest whole number.
- (3) The city will update the number of registrations available based on the most recent data available from the state's demographer.
- (4) The number of registrations in Scott County will be based on the number of registrations in Scott County on the day the application is received.
- (5) If the number of registrations available within the city decreases based on Scott County reaching the one per 12,500 threshold, businesses with current registrations will be allowed to maintain and renew their registrations but no new registration will be issued.
- (6) Registrations issued to businesses with a license preapproval will count toward the city's registration limit.
- (7) Businesses operating under a tribal compact entered into under Minnesota Statutes, section 3.9224 or 3.9228 and tribally issued licenses and registrations are counted towards the city's registration limit and the County registration limit.

(C) *Processing Registrations*

- (1) Applications will be processed on a first-come, first-served basis based on the city receiving a complete application. Applications will be considered complete when all materials in Section 3 (D) are received by the city and include all required information and the fee described in Section 3 (D)(5) and as adopted in the city's fee schedule is received
- (2) The date a certification under Section 2 is issued will have no impact on the applicant's registration processing.

(D) *Application.* The applicant must submit a registration application or renewal form provided by the city. The form may be amended from time to time by the city administrator, but must include or be accompanied by:

- (1) Name of the property owner
- (2) Name of the applicant
- (3) Address and parcel ID for the property for which the registration is sought
- (4) Certification that the applicant complies with the requirements of this ordinance
- (5) *Fee Required.* At the time of initial application, and prior to the city's consideration of any renewal application, each Retailer must pay the applicable fee as established in the

city's fee schedule. Initial registration fees and renewal registration fees are nonrefundable.

- (6) Proof of taxes, assessments, utility charges or other financial claims of the city or the state are current.
  - (7) A copy of a valid state license or written notice of OCM license preapproval
- (E) *Preliminary Compliance Check.* Prior to issuing any retail registration, the city shall conduct a preliminary compliance check to ensure compliance with this ordinance and any other regulations established pursuant to Minnesota Statutes, section 342.13.
- (F) *Reasons for Denial.* The city shall not issue a registration or renewal if any of the following conditions are true:
- (1) The applicant has not submitted a complete application.
  - (2) The applicant does not comply with the requirements of this ordinance.
  - (3) The applicant does not comply with applicable zoning and land use regulations.
  - (4) The applicant is found to not comply with the requirements of the Act or this ordinance at the preliminary compliance check.
  - (5) The applicant or property owner is not current on all property taxes and assessments at the location where the retailer is located.
  - (6) The maximum number of registrations, pursuant to Section 121.005 (B), have been issued by the city or within the County.
  - (7) The applicant does not have a valid license from the OCM.
- (G) *Issuing the Registration or Renewal.* The city shall issue the registration or renewal if the Retailer meets the requirements of this article, including that none of the reasons for denial in Section 121.005(F) are true.
- (H) *Nontransferable.* A registration is not transferable to another person, entity, or location.
- (I) *Registration Enforcement.*
- (1) Generally. The City Council may impose a fine or suspend a registration under this ordinance on a finding that the registered business has failed to comply with the requirements of this ordinance or any applicable statute or regulation.
  - (2) Notice and Right to Hearing. Prior to imposing a fine or suspending any registration under this ordinance, the city shall provide the registered business with written

notice of the alleged violations and inform the registered business of his or her right to a hearing on the alleged violation.

- (a) Notice shall be delivered in person or by regular mail to the address of the registered business and shall inform the registered business of its right to a hearing. The notice will indicate that a response must be submitted within ten (10) business days of receipt of the notice, or the right to a hearing will be waived.
  - (b) The registered business will be given an opportunity for a hearing before the City Administrator before final action to fine or suspend a registration. Provided, the registered business has submitted a written application for appeal within ten (10) business days after the notice was served. The City Administrator shall give due regard to the frequency and seriousness of the violations, the ease with which such violations could have been cured or avoided and good faith efforts to comply and shall issue a decision to fine or suspend the registration only upon written findings. Within ten (10) business days of the City Administrator's order, the decision may be appealed to the City Council.
  - (c) If no request for a hearing is received within ten (10) business days following the service of the notice, the matter shall be submitted to the City Council for imposition of the fine or suspension of the registration.
- (3) Emergency. If, in the discretion of the city, a registered business poses an imminent threat to the health or safety of the public, the City may immediately suspend the registration and provide notice of the right to hold a subsequent hearing as prescribed in part (2) of this section.
- (4) Reinstatement. The city may reinstate a registration if it determines that the violations have been resolved. The city shall reinstate a registration if the OCM determines the violations have been resolved.

#### **Sec. 4. Compliance Checks**

The city shall complete at minimum one compliance check per calendar year of every registered business to assess if the business meets age verification requirements, as required under the Act and any applicable cannabis or hemp regulations adopted by the city.

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 or an employee of the city.

Any failures under this section are a basis for enforcement action and must be reported to the OCM.

**Sec. 5. Hours of operation**

Cannabis Retailers may only make retail sales of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products pursuant to the hours established in Minnesota Statutes, section 342.27, subd. 7 (a).

**Sec. 6. Distance requirements**

(A) The city prohibits the establishment and operation of a cannabis retailer within the following buffer zones:

- 1000 feet from a school
- 500 feet from a day care
- 500 feet from a residential treatment facility
- 500 feet from a park feature

(B) The buffers in the Section 6 will be measured from the potential licensee’s proposed business location based on the location of schools, day cares, residential treatment facilities, and park features on the date the city receives the request from the OCM for certification pursuant to Section 2. Buffer distances will be measured from the shortest line between the parcel on which the cannabis business is to be located and the parcel containing a school, day care, or residential treatment facility or the city-established boundary of a park feature.

(C) Nothing in this section shall prohibit a cannabis business from continuing to operate at the same location if a school, day care, or park feature establishes within the buffer.

**Sec. 7. Cannabis business complaints.**

The city administrator is authorized to make complaints to the OCM related to any cannabis businesses the city believes is in violation of the act or the administrative rules adopted pursuant thereto. The city administrator is also authorized to file a complaint against a cannabis business that poses an immediate threat to the health or safety of the public and request immediate action by the OCM.

**Sec. 8. Penalties administration and enforcement.**

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. Each day each violation continues or exists, constitutes a separate offense. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance. Violations of this ordinance may also be addressed under Ordinance No. 2025-02 – Administrative Citations.

Violation of this ordinance shall be grounds for enforcement against any business license issued by the City of Credit River.

**Sec. 9. 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.

**SECTION II.** The city council of the city of Credit River hereby amends the Credit River City Zoning Code, Section 1-6 by adding the following new definitions, and reorganizing accordingly:

*Cannabis cultivation business* means a business with a cannabis cultivator license, medical cannabis cultivator license, or cultivation endorsement from the State of Minnesota Office of Cannabis Management.

*Cannabis delivery business* means a business with a cannabis delivery service license or delivery service endorsement from the State of Minnesota Office of Cannabis Management.

*Cannabis event organizer* means a business with a cannabis event organizer license or event organization endorsement from the State of Minnesota Office of Cannabis Management.

*Cannabis manufacturing business* means a business with a cannabis manufacturer license, or manufacturing endorsement from the State of Minnesota Office of Cannabis Management.

*Cannabis retailer* means a business with a cannabis retailer license, medical cannabis retailer license, lower-potency hemp edible retailer license, or retail endorsement from the State of Minnesota Office of Cannabis Management.

*Cannabis testing business* means a business with a cannabis testing facility license or testing endorsement from the State of Minnesota Office of Cannabis Management.

*Cannabis transportation business* means a business with a cannabis transporter license or transportation endorsement from the State of Minnesota Office of Cannabis Management.

*Cannabis wholesaling business* means a business with a cannabis wholesaler license or wholesaling endorsement from the State of Minnesota Office of Cannabis Management.

*Lower-potency hemp edible retailer* means a business with a lower-potency hemp edible retailer license from the Office of Cannabis Management.

*Lower-potency hemp edible manufacturer* means a business with a lower-potency hemp edible manufacturer license from the Office of Cannabis Management.

**SECTION III.** The city council of the city of Credit River hereby amends the Credit River City Zoning Code, Table 20-4 by adding the following uses and reformatting/renumbering accordingly:

20-4 USES TABLE

P=Permitted Use C=Conditional Use I=Interim Use AD=Administrative Use AC=Accessory Use PUD = Planned Unit Development Blank = Prohibited Use P-10,C-10,I-10 = Use is only allowed on parcels 10 acres or greater								
USE	R1	R2	R3	UER	UER-C	RR	C	I
Cannabis Cultivation Business – Indoor								I
Cannabis Cultivation Business – Outdoor				I-10		I-10		
Cannabis Delivery Business							I	
Cannabis Event Organizer							I	
Cannabis Manufacturing Business								I
Cannabis Retailer							I	
Cannabis Processing Business								I
Cannabis Retailer							I	
Cannabis Testing Business								I
Cannabis Transportation Business								I
Cannabis Wholesaling Business								I
Lower-Potency Hemp Edible Retailer							I	
Lower-Potency Hemp Edible Manufacturer								I

**SECTION IV.** The city council of the city of Credit River hereby amends the Credit River City Zoning Code, Section 8 by adding a new subsection 8-2-6:

**8-2-6 No Cannabis or Hemp Business as Home Occupation or Home Extended Business**

No business that requires a license from the Office of Cannabis Management shall be allowed as a Home Occupation or Home Extended Business.

**SECTION V.** The city council of the city of Credit River hereby amends the Credit River City Zoning Code, Section 15 by amending Section 15-1 as follows:

This Section is intended to ensure that large gatherings or assemblies of 250 or more individuals as defined by this Ordinance are conducted in accordance with proper and acceptable sanitary, police, fire, and other health and safety considerations and procedures to ensure the protection of the health, safety, and general welfare of the public and of the people attending or taking part in the assembly. This Section shall not apply to the following:

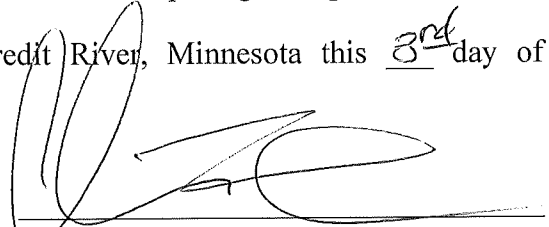
1. Any permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or government-sponsored events including meetings, polling, and other assemblies.
2. Gatherings or activities permitted or licensed by other State laws or regulations of the City or Scott County, including the State Parks System and the Scott County and Three Rivers Regional Park System.
3. Activities by persons operating under other permit or license issued by other state agency or the City. Other permit or license for purposes of this subdivision, does not include a permit or license



issued by the Minnesota Department of Health or held in association or organized by an individual with a Cannabis Event Organizer.

**SECTION VI.** This ordinance becomes effective from and after its passage and publication.

ADOPTED by the city council of the city of Credit River, Minnesota this 3<sup>rd</sup> day of March, 2025.



\_\_\_\_\_  
Mayor

ATTEST:



\_\_\_\_\_  
City Clerk