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## **Ordinance Number XXX**

Regulating the Registration and Sale  
of Cannabis Products

*Draft for consideration by the Board of Commissioners on 5/20/2025*

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# **Ordinance Number XXX**

## **Regulating the Retail Registration and Sale of Cannabis Products**

The County Board of Dakota County Ordains:

### **Section 1. Purpose**

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, Chapter 342, which authorizes the retail registration and sale of cannabis and hemp products, and to protect the public health, safety, and welfare of Dakota County residents by regulating retail cannabis and hemp businesses within the legal boundaries of Dakota County where the city or township consents to Dakota County administering registration of retail cannabis businesses and lower-potency hemp businesses from Dakota County.

The Dakota County Board of Commissioners finds and concludes that the provisions in this ordinance are appropriate and lawful, that the ordinance will promote the community's interest, and that the provisions are in the public interest and for the public good.

### **Section 2. Provisions of State Law Adopted**

Dakota County has the authority to adopt this ordinance pursuant to:

- (a) Minn. Stat. § 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.
- (b) Minn. Stat. § 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- (c) Minn. Stat. § 152.0263, subd. 5, regarding the use of cannabis in public places.
- (d) Minn. Stat. §§ 375.51 and 394.24 regarding the authority of a county board to adopt zoning ordinances.

### **Section 3. 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 4. Scope**

Dakota County, with assistance from consenting local jurisdictions, is responsible for the administration and enforcement of this ordinance. Except for Section 18 governing Temporary Cannabis Events in the

unincorporated areas of Dakota County, this ordinance applies only to those cities or townships within Dakota County which have provided consent to the county to issue registrations pursuant to Minn. Stat. § 342.22, subd. 1. Cities or townships must provide specific consent to Dakota County in the form of a resolution and provide a copy of the adopted resolution to the county before the county will act on their behalf under this ordinance. Dakota County will review and issue registrations as required by Minn. Stat. § 342.22 for consenting jurisdictions; however, each jurisdiction shall retain responsibility for any license certifications required under Minn. Stat. § 342.13(f).

## Section 5. Definitions

Unless otherwise noted in this section, words and phrases contained in Minn. Stat. § 342.01 and the rules promulgated by the Office of Cannabis Management pursuant to any of these acts, shall have the same meanings in this ordinance.

Subdivision 1. “Cannabis Retail Businesses” is a retail location and the retail location(s) of a cannabis mezzobusinesses with a retail operations endorsement, cannabis microbusinesses with a retail operations endorsement, medical cannabis combination businesses operating a retail location, and cannabis retailer as those terms are identified in Minn. Stat. § 342.01, subd. 14.

Subdivision 2. “Cannabis Retailer” is any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

Subdivision 3. “County Property” is any real property owned in fee or leased by Dakota County, excluding land owned for purposes of Dakota County public right of way.

Subdivision 4. “Daycare” is a location licensed as a daycare provider, or registered as a legal non-licensed daycare, with the Minnesota Department of Human Services to provide the care of a child or children 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.

Subdivision 5. “Hemp business” and “Lower-potency Hemp Retail Business” is any person, partnership, firm, corporation, or association, foreign or domestic, selling lower-potency hemp edible product to a consumer and not for the purpose of resale in any form.

Subdivision 6. “Lower-potency Hemp Edible” is as defined under Minn. Stat. § 342.01, subd. 50.

Subdivision 7. “Office of Cannabis Management” is Minnesota Office of Cannabis Management, referred to as “OCM” in this ordinance.

Subdivision 8. “Place of Public Accommodation” is a business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

Subdivision 9. “Preliminary License Approval” is OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. § 342.17.

Subdivision 10. “Public Place” is a public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor

establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.

Subdivision 11. “Residential Treatment Facility” is as defined under Minn. Stat. § 245.462, subd. 23.

Subdivision 12. “Retail Registration” is an approved registration issued by the city or township of jurisdiction, or by Dakota County for a city or township that consented to Dakota County issuing registrations to a state-licensed cannabis retail business.

Subdivision 13. “School” is a public school as defined under Minn. Stat. § 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. § 120A.24. “School” also includes community colleges and vocational technical colleges.

Subdivision 14. “State License” is an approved license issued by the State of Minnesota’s Office of Cannabis Management to a cannabis retail business.

Subdivision 15. “Youth-Oriented Facility” includes, but is not limited to, childcare providers and facilities, schools, playgrounds, recreation centers, parks, or other facilities with residents, customers, visitors, or inhabitants of which 25 percent or more are regularly under the age of 21 or that primarily sells, rents, or offers services or products that are consumed or used primarily by persons under the age of 21.

## **Section 6. Registration of Cannabis or Hemp Business for Consenting Cities or Townships**

Subdivision 1. No individual or entity may operate a state-licensed cannabis or hemp retail business within Dakota County without first completing all State requirements as directed by OCM and gaining a Preliminary License Approval from OCM. Once approved by OCM, each entity shall register with Dakota County where that cannabis or hemp retail business is located within Dakota County as well as notify any city or township within the boundaries of Dakota County that has consented to Dakota County issuing Retail Registrations.

Subdivision 2. Nothing herein relieves a local city or township consenting to Dakota County issuing cannabis or hemp retail registrations from its obligations under Minn. Stat. 342.13 (f) to certify whether a proposed cannabis or hemp business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code, within 30 days of receiving a copy of a Preliminary License Approval from OCM. Each local jurisdiction shall certify to OCM on a form provided by OCM whether a proposed cannabis or hemp retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code. If the local jurisdiction fails to respond to OCM within the required 30 days, Dakota County is not responsible for any resulting licenses issued by OCM in violation of any local ordinance or restriction pursuant to Minn. Stat. § 342.13.

Subdivision 3. Where a local city or township consents to Dakota County issuing cannabis or hemp retail registrations, the local jurisdiction shall, within 14 days of a request from Dakota County related to a retail registration application, conduct a preliminary compliance check to review compliance with its local ordinances, including any issues related to zoning, building, or fire code compliance and provide Dakota County with written certification of the preliminary compliance check results. If the local jurisdiction fails

to assist or cooperate with Dakota County, Dakota County is not responsible for any resulting registration issued by Dakota County in violation of any local ordinance or restriction pursuant to Minn. Stat. § 342.13.

## **Section 7. Lower-Potency Hemp Edible Retailers**

### **Subdivision 1. Retail Registration**

No individual or entity may sell lower-potency hemp edibles within Dakota County without obtaining a license from OCM and registering with Dakota County.

### **Subdivision 2. Hours and Days of Sales**

Sale of lower-potency hemp edibles are restricted to the hours and days outlined in Section 10 of this ordinance.

### **Subdivision 3. Age Requirements**

Lower-Potency Hemp Edibles may only be sold in establishments to persons 21 years of age or older.

### **Subdivision 4. Storage of Product**

- (a) Lower-Potency Hemp Edibles shall be stored behind a counter or in a locked case.
- (b) The sale of Lower-Potency Hemp Edibles which are beverages is permitted at a location that is currently holding an on- or off-sale intoxicating liquor license during the business hours outlined in the intoxicating liquor ordinance and shall be served in a manner similar to alcoholic beverages.

## **Section 8. Limiting of Cannabis Retail Registrations**

### **Subdivision 1. Limit on Cannabis Retail Registrations Under Dakota County Jurisdiction.**

Within the jurisdictions consenting to Dakota County issuing Retail Registrations, the number of cannabis retail businesses is limited to no more than one registration for every 12,500 residents within any area in which local cities or townships have consented to Dakota County issuing Retail Registrations. In calculating this limit, Dakota County will base any limit on the total population of only those areas where Dakota County exercises jurisdiction over cannabis retail business registrations.

### **Subdivision 2. Maximum Limit on Cannabis Retail Registrations.**

Notwithstanding subdivision 1 of this Section, Dakota County will not issue any cannabis retail business registrations if within the boundaries of Dakota County there is at least one cannabis retail business for every 12,500 residents, based on the most current population estimates provided by the State Demographers Office.

## **Section 9. Location**

Subdivision 1. In the absence of a local city or township ordinance placing reasonable restrictions on the location of a retail cannabis business, the following limits on the operation of a cannabis business apply:

- (a) No cannabis business shall be registered if located within 1,000 feet from the boundaries of an existing school;
- (b) No cannabis business shall be registered if located within 500 feet from the boundaries of an existing licensed or legal non-licensed day care provider,
- (a) No cannabis business shall be registered if located within 500 feet from the boundaries of an existing residential treatment facility,
- (c) No cannabis business shall be registered if located within 500 feet from the boundaries of an existing public park, including a playground or athletic field, athletic recreation center, or Youth-Oriented Facility.
- (d) No cannabis business shall be registered if located within 1,000 feet from the boundaries of an existing cannabis retail business.

Pursuant to Minn. Stat. 462.367, subd. 14, nothing in Section 10.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, attraction within a public park that moves within the minimum buffer zone.

Subdivision 2. A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 15 if it seeks to move to a new location still within the legal boundaries of Dakota County.

Subdivision 3. Cannabis businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business, unless otherwise limited by the local jurisdiction's sign ordinances.

## Section 10. Hours and Days of Sale

Except for lower-potency hemp edibles which are beverages which sale hours are set in Section 7(4)(b) of this ordinance, retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products is limited to between the hours of 8:00 a.m. and 10:00 p.m. Monday through Saturday, and 10:00 a.m. and 9:00 p.m. on Sunday.

No retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products may be made:

- (a) Before 8:00 a.m. or after 10:00 p.m. Monday through Saturday;
- (b) Before 10:00 a.m. or after 9:00 p.m. on Sunday;
- ~~(c) On Thanksgiving Day;~~
- ~~(d) After 9:00 p.m. on Christmas Eve, December 24;~~
- ~~(e) On Christmas Day, December 25;~~
- ~~(f)(c)~~ \_\_\_\_\_ Or otherwise as prohibited by law.

## Section 11. Liability Insurance

### Subdivision 1. Insurance Required

- (a) No retail registration may be issued, maintained, or renewed unless the applicant demonstrates proof of financial responsibility with regard to liability imposed by Minn. Stat. § 342.81.
- (b) At a minimum, the applicant must show one of the following:
  - i. A certificate that there is in effect for the license period an insurance policy or pool providing at least the following:
    - a. Two Hundred Fifty Thousand and no/100ths Dollars (\$250,000.00) of coverage because of bodily injury to any one person in any one occurrence;
    - b. Five Hundred Thousand and no/100ths Dollars (\$500,000.00), because of bodily injury to two or more persons in any one occurrence;
    - c. Fifty Thousand and no/100ths Dollars (\$50,000.00), because of injury to or destruction of property of others in any one occurrence;
    - d. Two Hundred Fifty Thousand and no/100ths Dollars (\$250,000.00), for loss of means of support of any one person in any one occurrence;
    - e. Five Hundred Thousand and no/100ths Dollars (\$500,000.00) for loss of means of support of two or more persons in any one occurrence;
    - f. Two Hundred Fifty Thousand and no/100ths Dollars (\$250,000.00) for other pecuniary loss of any one person in any one occurrence, and;
    - g. Five Hundred Thousand and no/100ths Dollars (\$500,000.00) for other pecuniary loss of two or more persons in any one occurrence.
    - h. An annual aggregate policy limit for general liability of not less than One Million and no/100ths Dollars (\$1,000,000.00) per policy year may be included in the policy provisions;
  - ii. A bond of a surety company with minimum coverages as provided in subdivision 1(b) of this Section;
  - iii. This subdivision does not prohibit an insurer from providing the coverage required by this subdivision in combination with other insurance coverage.

## Section 12. Delinquent Taxes, Assessments

No license shall be granted or renewed, for operation on any premises, on which taxes, assessments, or other financial claims of the County or of local cities or townships are delinquent and unpaid.



## Section 13. Registration Application Procedure

Subdivision 1. A person or entity seeking registration under this ordinance must submit a written application and the non-refundable application fee to the Dakota County Public Services and Revenue Department on forms approved by Dakota County Public Services and Revenue Department. For purposes of priority of competing applications, the first complete application submitted to Dakota County shall have priority over any incomplete application or any complete application later received by Dakota County.

Subdivision 2. The application form shall include, but is not limited to:

- (a) Full name, address, email address, and telephone number of the applicant;
- (b) Exact location of the place in which the applicant proposes to carry on the business which a retail registration is sought and the full name of the property owner;
- (c) If applicable, the dates and locations the applicant has previously been engaged in the business of selling or manufacturing cannabis products in Dakota County;
- (d) Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. § 342.13; and
- (e) Signature by the applicant in person or by an officer of the corporation seeking said license.

Subdivision 3. The applicant shall include with the form:

- (a) The non-refundable registration fee as required in Section 16;
- (b) A copy of a valid state license or written notice of OCM preliminary license approval; and
- (c) Certificate of Insurance.

Subdivision 4. Upon receipt by the Dakota County Public Services and Revenue, the application and the name of the applicant shall be placed on file. Once the application is considered complete, the Dakota County Public Services and Revenue shall inform the applicant and process the registration fees.

Subdivision 5. Prior to issuance of a cannabis retail business registration, Local jurisdictions shall provide proof of their own preliminary compliance check as required under Section 6 of this ordinance.

Subdivision 6. A state-licensed cannabis retail business registration application that adheres to the requirements of Minn. Stat. § 342.22 and meets the requirements of this ordinance will be approved by the Dakota County Board of Commissioners and the applicant notified. Approved registrations shall be valid for one year and must be renewed annually by the registrant in accordance with this ordinance.

Subdivision 7. A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 8 or if the applicant is unable to adhere to the requirements of Minn. Stat. § 342.22 or meet the requirements of this ordinance. If an application is denied for exceeding the maximum number of registered cannabis retail businesses, any fees required under this ordinance will not be processed or will be refunded by Dakota County.

Subdivision 8. Registrations issued to corporations shall be valid only so long as there is no change in the officers, charter, articles, bylaws or ownership of the corporation unless such change is approved by Dakota County, in which event said registration shall continue in force until the end of the then-current term. Registrations issued to associations or partnerships shall be valid only so long as there is no change in the partnership or association agreement or the ownership of said association or partnership unless such change is approved by Dakota County, in which event said registrations shall continue in force until the end of the then-current registration term. Corporations, partnerships, or associations holding registrations under this ordinance shall submit written notice to the Dakota County Public Service and Revenue Department of any such changes described herein on or before thirty (30) days prior to the effective date of any such change. In the case of a corporation, the registrant shall notify the Dakota County Public Service and Revenue when a person not listed in the applications acquires an interest which, together with that of a spouse, parent, brother, sister, or child, exceeds five percent (5%) and shall give all information about said person as is required of a person pursuant to the provision of this ordinance.

## Section 14. Registration Renewals

Subdivision 1. A retail registration shall expire one year after issuance if not timely renewed by the registrant as follows:

- (a) The cannabis or hemp retail business shall renew its cannabis or hemp retail business' license with the OCM;
- (b) A cannabis or hemp retail business shall apply to renew its retail registration on a form established by Dakota County at least 60 days prior to the date of expiration of its retail registration; and
- (c) Upon the second renewal and each renewal thereafter, a cannabis or hemp retail business shall pay a renewal fee for the retail registration established in Dakota County's fee schedule.

Subdivision 2. The application for renewal of a retail registration shall include, but is not limited to:

- (a) Items required under this section;
- (b) Copy of a valid State License; and
- (c) Certificate of Insurance in effect for the renewal license period.

Subdivision 3. A cannabis retail business registration renewal application that adheres to the requirements of Minn. Stat. § 342.22 and meets the requirements of this ordinance will be approved.

Subdivision 4. A cannabis retail business renewal application shall not be approved if the applicant is unable to adhere to the requirements of Minn. Stat. § 342.22 or fails to meet the requirements of this ordinance.

## Section 15. Suspension of Registration

Subdivision 1. The Dakota County Director of Public Services and Revenue Division may suspend a cannabis or hemp retail business's registration if it determines the registrant is not operating in compliance with this ordinance or that the operation of the business poses an immediate threat to the

health or safety of the public. The ~~Dakota County~~Director shall immediately notify the registrant in writing the grounds for the suspension.

Subdivision 2. Dakota County Public Services and Revenue Division shall immediately notify the OCM in writing of the grounds for the suspension. OCM will provide Dakota County and the cannabis or hemp retail business a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

Subdivision 3. The suspension of a cannabis or hemp retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period or revokes the license. The business may not make sales to customers or patients if their registration is suspended.

- (a) The Dakota County Public Services and Revenue Division may reinstate a registration if it determines that the violations have been cured.
- (b) The Dakota County Public Services and Revenue Division shall reinstate a registration if OCM orders the reinstatement of the registration.

Subdivision 4. Any suspension of a retail registration is subject to review and reinstatement by the OCM pursuant to Minn. Stat. 342.22, Subd. 5.

## Section 16. Fees

Fees will be assessed in accordance with the schedule approved by the County Board.

- (a) Dakota County shall not charge an application fee.
- (b) An applicant shall pay a non-refundable registration fee, as established in Dakota County's fee schedule, based on type of retail cannabis or retail hemp license identified in the application.
- (b) An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. § 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.
- (c) Any renewal retail registration fee imposed by Dakota County shall be charged at the time of the second renewal and each subsequent renewal thereafter.
- (d) A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. § 342.11, whichever is less.

A medical combination business operating an adult-use retail location will only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

## Section 17. Licensee Responsibility and License Restrictions

Subdivision 1. The act of any employee of the licensed premises authorized to sell cannabis or hemp products shall be deemed the act of the licensee as well, and the licensee shall be liable for all penalties provided by the ordinance equally with the employee.

Subdivision 2. A cannabis retail registration issued under this ordinance shall not be transferred. A transferred retail registration shall be void upon transfer.

Subdivision 3. The retail registration to sell cannabis or hemp products is only effective for the compact and contiguous space specified in the approved license application.

Subdivision 4. The retail registration shall be posted in a conspicuous place in the registered establishment at all times.

Subdivision 5. The registrant shall comply with all statutory requirements for retail cannabis or retail hemp sales, including but not limited to all restriction on sales to minors.

## Section 18. Temporary Cannabis Events

A license is required and shall be issued and approved by the County Board prior to holding a Temporary Cannabis Event. This section applies to all unincorporated areas within Dakota County, and does not apply to cities within Dakota County, even if a city consents to Dakota County jurisdiction to regulate cannabis retail businesses.

Subdivision 1. The Temporary Cannabis Event shall meet the following standards:

Temporary cannabis events shall:

- (a) Not be held on Dakota County property or within 1,000 feet from the boundaries of County property.
- (b) Obtain written consent of the property owner.
- (c) Obtain approval of the local jurisdiction or town.
- (d) Not allow on-site consumption of cannabis products or lower-potency hemp edibles.
- (e) Only allow attendance of adults aged twenty-one (21) or older.
- (f) Only be held between the hours of 9:00 a.m. and 9:00 p.m. on Sunday through Thursday, and between the hours of 9:00 a.m. and 10:00 p.m. on Friday and Saturday.
- (g) Last no more than two days.
- (h) Obtain commercial general liability insurance covering all injuries or damage caused by or as a result of the event in the sum of \$1,000,000 per occurrence for bodily injury or death or property damage naming Dakota County as an additional insured. Proof of such coverage must be submitted to Public Services and Revenue to obtain the license.
- (i) If over 300 attendees, a separate Assemblage of Large Numbers of People license will be required by the County, or by local jurisdiction if required in their ordinances.
- (j) Comply with all of the written plan requirements identified in Subdivision 3.

A request for a Temporary Cannabis Event that meets the requirements of this Section will be approved. A request for a Temporary Cannabis Event that does not meet the requirements of this Section will be denied. Dakota County will notify the applicant of the standards not met and basis for denial.

#### Subdivision 2. Fees

A registration fee, as established in Dakota County's fee schedule, shall be charged to applicants for Temporary Cannabis Events.

#### Subdivision 3. Application Procedure

Dakota County shall require an application for Temporary Cannabis Events.

(a) An applicant for a retail registration shall fill out an application form, as provided by Dakota County. The form will include, but is not limited to:

- i. Full name of the applicant;
- ii. Address, email address, and telephone number of the applicant;
- iii. Full name of the property owner;
- iv. Address and legal description of the property where the event will be held;
- v. Description of the event;
- vi. The dates and hours of the event;
- vii. The maximum number of anticipated attendees;
- viii. The maximum number of tickets to be sold, per day, if any;
- ix. A written plan for the event must address the following requirements:
  - a. The method used to track the number of attendees to limit the maximum number of attendees to those authorized in the license.
  - b. A fence or barrier completely enclosing the property of sufficient height and strength to prevent access to the property and having sufficiently staffed entrances and exits to allow easy movement into and out of the property.
  - c. Separately enclosed toilets and hand washing or hand sanitizing stations conveniently located throughout the property sufficient to provide facilities for the maximum number of attendees authorized by the license.
  - d. A current license issued by the Minnesota Department of Health for special event food and beverage stands that are operated in compliance with the Minnesota Food Code.
  - e. Illumination, if necessary, sufficient to light the property at the rate of at least five foot candles at ground level, but not to shine unreasonably beyond the boundaries of the enclosed location of the event.

- f. Security and traffic controls that meet the requirements of local authorities and the Minnesota Department of Public Safety, which includes, at a minimum, the physical presence of one officer per 250 attendees. The term “officer” shall include, but not be limited to, Minnesota law enforcement officers having jurisdiction in Dakota County or protective agents licensed in Minnesota. The written plan shall include the number of officers, their credentials, and their hours of availability. The Dakota County Sheriff may recommend that security staffing requirements be adjusted based upon the Applicant’s event history or other factors pertinent to public safety. If security is provided by the Dakota County Sheriff’s Office, the cost of security for extra-duty personnel will be billed by the Sheriff’s Office at its established rate.
- g. Fire protection sufficient to meet all applicable State and local laws and regulations, which shall include, but not be limited to, extinguishing devices, fire lanes and escapes, and sufficient emergency personnel to efficiently operate the required equipment.
- h. A parking area inside the event property sufficient to provide parking space for the maximum number of attendees authorized by the license, at the rate of at least one parking space for every four attendees per day. The Applicant shall ensure compliance with all federal, state, and local statutes, rules, and regulations governing designation and availability of handicap parking spaces.

(b) The applicant shall include with the form:

- i. Application fee as required in this Section of this ordinance;
- ii. Copy of the OCM cannabis event license application, submitted pursuant to 342.39, subd. 2; and
- iii. Certificate of Insurance as outlined in Subdivision 1.

#### Subdivision 4. Application Submittal & Review

The application shall be submitted to the Dakota County Public Services and Revenue Division, or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

- (a) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the Dakota County Sheriff’s Office, Public Health Department, Risk Management Department, Transportation Department, and Clerk of the township in which the cannabis event is scheduled to occur. The County Board shall either approve or deny the license.

(b) The application fee shall be non-refundable once processed.

#### Subdivision 5. License Suspension and Revocation.

A license granted under this ordinance may be immediately suspended or revoked at any time prior to or during the Temporary Cannabis Event upon occurrence of any of the following: (1) if applicant provided false or misleading information in the license application, including the written plan, or accompanying

written or oral documentation; (2) if applicant failed to comply with the requirements of licensure or a condition of the license; (3) if during the course of the Temporary Cannabis Event it appears, in the judgment of Dakota County, that there exists an imminent danger of violence, riot, or other calamity, or if there are threats or acts of terrorism threatening the safety or attendees or residents of the community in which the Temporary Cannabis Event is held; or (4) if there is a violation of or failure to comply with any provision of this ordinance.

A hearing on the immediate suspension or revocation may be held at the licensee's request before a hearing officer appointed by the County Manager at the earliest opportunity. The licensee must request the hearing in writing directed to Dakota County's Department of Public Services and Revenue. The appointed hearing officer will make a recommendation to the County Manager. If the County Manager, or the County Manager's designee, determines that the immediate suspension or revocation was not justified, the County Manager, or the County Manager's designee, may reinstate the license or refund the license application fee.

## **Section 19. Compliance Checks and Inspections**

Subdivision 1. Compliance checks shall be completed of every cannabis business and hemp business with a retail registration issued under this ordinance to assess a business's compliance with age verifications and compliance with this ordinance. The compliance checks shall be done in accordance with the requirements of Minn. Stat. § 342.22, subd. 4(b) and be conducted under the direct supervision of a law enforcement officer having primary jurisdiction in the location of the business.

Subdivision 2. Nothing in this section shall prohibit other compliance checks authorized by state or federal laws for educational, research, or training purposes, or required for the enforcement of a particular state or federal law.

Subdivision 3. Any compliance check failures under this section must be reported to the Office of Cannabis Management.

## **Section 20. Operation without a Registration**

Subdivision 1. Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of up to \$2,000 for each violation.

Subdivision 2. Nothing in this ordinance shall prohibit the enforcement of any other applicable state or federal law or regulation in addition to or instead of any civil enforcement remedy that may be sought under this ordinance.

Passed by the Dakota County Board of Commissioners on this 20<sup>th</sup> day of May, 2025.

Approved as to form:

Chair

Dakota County Board of Commissioners

Date of Signature:

Assistant County Attorney

Date of Signature:

Attest:

Clerk to the Board

Date of Signature: