

ORDINANCE NO. 2024-4

AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE OPERATION OF CANNABIS BUSINESSES WITHIN THE CITY OF EMPIRE

The City Council of the City of Empire ordains as follows:

SECTION 1. Moratorium. This Ordinance establishes a moratorium, under authority of Minnesota Statute 462.355, subd. 4, on the operation of any Cannabis Business, or related activity, including, but not limited to, the cultivation of cannabis for the purpose of commercial sale. During the term of this ordinance, no business, person, or entity may establish or operate a Cannabis Business within the jurisdictional boundaries of the City. Accordingly, during the period this Ordinance is in effect, the City shall not accept, process, or act on any application, site plan, building permit, zoning request, or other approval, including any requested confirmation, approval, or other request from the Office of Cannabis Management (OCM) or other governmental entity requesting City review of any application or proposal for a business proposing to engage in the operation of a Cannabis Business.

SECTION 2. Findings. The City Council hereby makes the following findings to serve as the basis for the necessary study to be made during the moratorium period provided in this Ordinance. These preliminary findings serve as the reasons why it is in the public interest for the City to conduct a study and so declare a moratorium by virtue of this Ordinance:

1. The current regulations and official controls of the City may not adequately address the impacts and effects of Cannabis Businesses, and related activities, within the City.
2. The City needs to research, analyze, and study the impacts of such uses in relationship to the Comprehensive Plan or to determine the adequacy and effectiveness of current regulations in protecting the public health, safety, and welfare of the community.
3. The public interest and public health, safety and welfare requires that the City study, analyze and evaluate the impacts and effects of Cannabis Businesses, and related activities within the City for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's Comprehensive Plan, are necessary or appropriate.
4. This moratorium will ensure that any ordinance changes or Comprehensive Plan amendments will be carefully considered and evaluated and that all the issues, including, but not limited to, density, parking, and land use can be fully examined, while protecting the City's planning process and the public health safety and welfare during the moratorium period.

SECTION 3. Study Authorized. The Empire City Council hereby authorizes and directs City staff to conduct a study regarding the adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses, as well as other potential local regulations allowed under

the Act, and report to the City Council on the potential regulation of Cannabis Businesses.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law and shall expire upon adoption of ordinances regulating such uses, until the Council rescinds or terminates the Interim Ordinance, or January 1, 2025, whichever comes first.

Adopted this 25th day of June 2024.

ATTEST:

Trent Larson, Mayor

Charles Seipel-Teng, Clerk-Administrator

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