

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

ORDINANCE NO. 2025-01

**AN ORDINANCE AMENDING TITLE XI AND TITLE XV
OF THE CODE OF ORDINANCES PERTAINING TO
CANNABIS AND HEMP BUSINESSES**

**THE CITY COUNCIL OF THE CITY OF MANTORVILLE, MINNESOTA, HEREBY
ORDAINS:**

Section 1. Title XI of the Mantorville City Code is amended to add the following new section 113, entitled Cannabis and Hemp Businesses:

“Section 113 CANNABIS AND HEMP BUSINESSES”

Section 113.01 Definitions.

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

CANNABIS OR HEMP BUSINESS means any business that requires licensure under Minnesota Statutes, Chapter 342.

CANNABIS RETAILER means a business with a cannabis retailer license or cannabis retail endorsement from OCM.

LOWER-POTENCY HEMP EDIBLE RETAILER has the same meaning as found in Minnesota Statutes, section 342.01.

OCM means the Minnesota Office of Cannabis Management.

POTENTIAL LICENSEE means an entity that is seeking a license to operate a cannabis business from the OCM.

Section 113.02 County to Issue Registrations.

Pursuant to Minnesota Statutes, section 342.22, subd. 1, the city of Mantorville consents to Dodge County issuing registrations for cannabis retailers and lower-potency hemp edible retailers.

Section 113.03 Certification of Cannabis Businesses Zoning.

(A) The city clerk-treasurer, or their designee, is authorized to certify whether a proposed cannabis business complies with the city’s zoning ordinances, including the minimum

distance requirements contained in City Code, section 150.92 (E), and if applicable, state fire code and building code pursuant to Minnesota Statutes, section 342.13.

(B) 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.

(C) 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 one year from completion.

Section 113.04 Penalties Administration and Enforcement.

Any violation of the provisions of this article 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 a permit is required for a regulated activity listed in this ordinance.

Section 2. Title XV, Section 150.007 of the Mantorville City Code is hereby amended by the addition of the double-underlined language, as follows, and reorganization of Section 150.007 to insert the terms in the appropriate alphabetical order:

Cannabis business has the same meaning as in Minnesota Statutes, section 342.01.

Cannabis cultivation business - 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 - A business with a cannabis delivery service license or delivery service endorsement from the State of Minnesota Office of Cannabis Management.

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

Cannabis retailer - 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 - A business with a cannabis testing facility license or testing endorsement from the State of Minnesota Office of Cannabis Management.

(18) Cannabis Wholesaling Business

(19) Cannabis Retailer

(20) Cannabis Delivery Business

Section 5. Title XV, Chapter 150 of the Mantorville City Code is amended to add a new section 150.092 - Cannabis Business Standards, as follows:

SECTION 150.92 – CANNABIS BUSINESS STANDARDS.

(A) Cannabis Businesses – Generally

(1) Every Cannabis Business must meet the requirements of this code that apply to the applicable business operation, as well as the requirements in this Section and City Code, chapter 113.

(B) Cannabis Cultivation Business

(1) Cultivation operations must be completely contained within a structure.

(2) Cannabis Cultivation businesses must comply with odor management requirements as established in Minnesota Statutes, Minnesota Rules, and City Code.

(C) Cannabis Manufacturing Business

(1) Manufacturing operations must be completely contained within a structure.

(2) Compliance with odor management requirements as established in Minnesota Statutes, Minnesota Rules, and City Code

(D) Cannabis Businesses and Hemp Businesses are not permitted as a Home Occupation or Home Business

(E) Minimum Distance Requirements.

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

- 1,000 from a school
- 500 feet from a day care
- 500 feet from a residential treatment facility
- 500 feet from a park feature

(2) The buffers in this section 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 City Code, section 113.03. Buffer distances will be measured from the closest side of the premises of a school, day care, residential treatment

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

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

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

Hemp business - Has the same meaning as in Minnesota Statutes, section 342.01.

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

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

Park Feature – Means an attraction within a public park that is regularly used by minors, including, without limitation, a playground or athletic field.

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.

School – Means a public school, as defined in section 120A.05, subdivisions 9, 11, 13, and 17, or a nonpublic school, or church or religious organization in which a child is provided instruction in compliance with this section and section 120A.24, but does not include a home school.

Section 3. Title XV, Section 150.072 (B), Commercial District, Permitted Uses, of the Mantorville City Code is hereby amended by the addition of the double-underlined language, as follows:

- (27) Cannabis Cultivation Business.
- (28) Cannabis Manufacturing.
- (29) Cannabis Testing Business
- (30) Cannabis Transportation Business
- (31) Lower-Potency Hemp Edible Manufacturer
- (32) Lower-Potency Hemp Edible Retailer

Section 4. Title XV, Section 150.072 (C), Commercial District, Conditional Uses, of the Mantorville City Code is hereby amended by the addition of the double-underlined language, as follows:

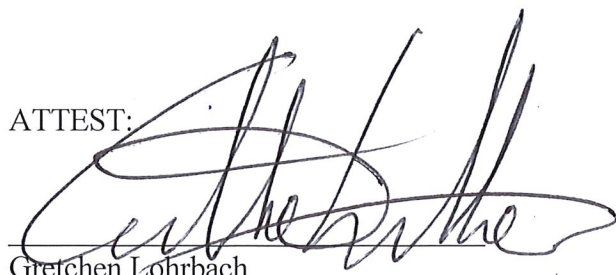
facility, or park feature and the structure on the premises within which the cannabis business operates.

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

Section 4. This ordinance shall be in full force and effect upon its passage and publication.

Passed by the City Council of the City of Mantorville, Minnesota, this 10th Day of February, 2025.

ATTEST:



Gretchen Lohrbach
City Clerk-Treasurer



Jeffrey Ingalls
Mayor

