

SUMMARY OF ORDINANCE NO. 2025-01

AN ORDINANCE OF DOUGLAS TOWNSHIP TO REGULATE CANNABIS BUSINESSES

Douglas Township has adopted an ordinance regulating cannabis businesses within the township, pursuant to Minnesota Statutes, chapter 342.

Registration Requirements: No state-licensed cannabis retail business may operate in Douglas Township without first registering with Dakota County. The township will conduct preliminary compliance checks prior to registration to ensure compliance with local ordinances.

Location Restrictions: Cannabis businesses are prohibited from operating within:

- 1,000 feet of a school
- 500 feet of a daycare
- 500 feet of a residential treatment facility
- 500 feet of an attraction within a public park regularly used by minors

Zoning: Cannabis cultivation, manufacturing (including hemp), and wholesale operations are permitted as conditional uses in Industrial zoning districts. Cannabis retail, transportation, and delivery operations are permitted as conditional uses in Commercial and Industrial zoning districts.

Hours of Operation: Retail sale of cannabis and related products is limited to the hours between 8:00 a.m. and 9:00 p.m.

Public Use: Use of cannabis products in public places or places of public accommodation is prohibited unless the premises is licensed to permit on-site consumption.

Violations: Violations constitute a misdemeanor punishable as defined by law. Cannabis retail businesses operating without valid registration may incur civil penalties up to \$2,000 per violation.

The full text of the ordinance is available for inspection at the office of the Douglas Township Clerk.

Adopted this 1ST day of DECEMBER, 2025.

ORDINANCE NO. 2025-01

An Ordinance of Douglas Township to Regulate Cannabis Businesses

Section 1	Administration
Section 2	Registration of Cannabis Business
Section 3	Requirements for a Cannabis Business (Time, Place, Manner)
Section 4	Use of Cannabis in Public
Section 5	Effective Date

The Board of Supervisors of Douglas Township, Dakota County, Minnesota, hereby ordains:

Section 1. Administration

1.1 Findings and Purpose.

Douglas Township makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes Douglas Township to protect the public health, safety, welfare of Douglas Township residents by regulating cannabis businesses within the legal boundaries of Douglas Township.

Douglas Township finds and concludes that the proposed provisions are appropriate and lawful land use regulations for Douglas Township, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

1.2 Authority and Jurisdiction.

Douglas Township 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. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

This Ordinance shall be applicable to the legal boundaries of Douglas Township.

Douglas Township has delegated cannabis retail registration authority to Dakota County. However, Douglas Township may adopt ordinances under Sections 2.6, 3 and 4 if Dakota County has not adopted conflicting provisions.

1.3 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.

1.4 Enforcement.

The Board of Supervisors of Douglas Township is responsible for the administration and enforcement of this ordinance. 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. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

1.5 Definitions.

- a. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
- b. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
- c. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusiness with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.
- d. Cannabis Retailer: 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.
- e. Daycare: 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.
- f. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
- g. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
- h. Place of Public Accommodation: 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.

- i. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
- j. Public Place: 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.
- k. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
- l. Retail Registration: An approved registration issued by the (insert local here) to a state-licensed cannabis retail business.
- m. School: 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.
- n. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Section 2. Registration of Cannabis Businesses

2.1 Consent to registering of Cannabis Businesses.

No individual or entity may operate a state-licensed cannabis retail business within Douglas Township without first registering with Dakota County.

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.

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

2.2 Compliance Checks Prior to Retail Registration.

Prior to issuance of a cannabis retail business registration, Douglas Township shall conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, Douglas Township shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

2.3 Registration and Application Procedure.

All registration and application procedures shall be as required by Dakota County.

Section 3. Requirements for Cannabis Businesses

3.1 Minimum Buffer Requirements.

Douglas Township shall prohibit operation of a cannabis business within 1,000 feet of a school.

Douglas Township shall prohibit the operation of a cannabis business within 500 feet of a daycare.

Douglas Township shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.

Douglas Township shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in Section 3.1 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, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

3.2 Zoning and Land Use.

3.2.1 Cultivation.

Cannabis businesses licensed or endorsed for cultivation are permitted as a conditional use in Industrial zoning districts.

3.2.2 Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a conditional use in Industrial zoning districts.

3.2.3 Hemp Manufacturer.

Cannabis businesses licensed or endorsed for low-potency edible hemp manufacturers are permitted as a conditional use in Industrial zoning districts.

3.2.4 Wholesale.

Cannabis businesses licensed or endorsed for wholesale are permitted as a conditional use in Industrial zoning districts.

3.2.5 Cannabis Retail.

Cannabis businesses licensed or endorsed for cannabis retail are permitted as a conditional use in the following zoning districts:

- Commercial
- Industrial

3.2.6 Cannabis Transportation.

Cannabis businesses licensed or endorsed for transportation are permitted as a conditional use in the following zoning districts:

- Commercial
- Industrial

3.2.7 Cannabis Delivery.

Cannabis businesses licensed or endorsed for delivery are permitted as a conditional use in the following zoning districts:

- Commercial
- Industrial

3.3 Hours of Operation.

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 8:00 a.m. and 9:00 p.m.

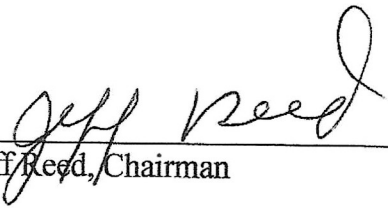
Section 4. Use in Public Places

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.

Section 5. Effective Date

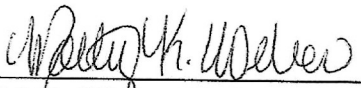
The effective date of this ordinance shall be upon its passage and publication according to law.

Adopted this 1st day of December, 2025.



Jeff Reed, Chairman

ATTEST:



Molly Weber, Clerk

Published in the CANNONFALLS BEACON & HASTINGS JOURNAL this 15th day of JANUARY, 2026.