

**Grant County Ordinance No. 20250902-1**

**Ordinance Regulating the Sale and Use of Cannabis and Lower-Potency Hemp Edibles (LPHE) within Grant County, Minnesota**

Section 1	Administration
Section 2	Registration of Cannabis Business
Section 3	Requirements for a Cannabis Business (time, place, manner)
Section 4	Prohibited Acts
Section 5	Temporary Cannabis Events
Section 6	Lower Potency Hemp Edibles
Section 7	Local Government as a Retailer
Section 8	Use of Cannabis in Public

The Grant County Board of Commissioners, of the State of Minnesota, County of Grant hereby ordains:

Section 1 Administration

**1.1 Findings and Purpose**

Grant County makes the following legislative findings:

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

Grant County finds and concludes that the proposed provisions are appropriate and lawful land use regulations for Grant County, 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**

Grant 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. 462.357, regarding the authority of a local authority to adopt zoning ordinances.
- d) Ordinance shall be applicable to the legal boundaries of Grant County, MN.
- e) Cities and townships within Grant County, MN, may adopt their own ordinances

or they may delegate to Grant County.

**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**

Grant County or their designee are responsible for the administration 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, including fines, imprisonment, or both. In addition to other remedies, Grant County or their designee may initiate civil court action or civil administrative proceedings to prevent, restrain, correct, or abate violations or threatened violations.

The County Attorney is responsible to review evidence of violations, or threatened violations, and take such action as may be warranted and necessary.

The Sheriff is responsible enforcement of this ordinance. 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**

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.

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 plants, 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.

Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzo business with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers.

Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis products to a consumer and not for the purpose of resale in any form.

Compliance Checks: The system the County uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements to this article. Compliance checks involve the use of persons at least 18 years of age but under 21 who attempt to purchase or purchase licensed products. Compliance checks may also be conducted by the County or other units of government for educational, research, and training purposes, or for investigating or enforcing Federal, State, or local laws and regulations relating to licensed products.

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.

Exclusive Liquor Store: An establishment that meets the definition of exclusive liquor store in Minn. Stat. § 340A.101, subd. 10.

Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50. 7. Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.

Movable Place of Business: Any form of business operated out of a kiosk, truck, van, automobile, or other type of vehicle or transportable shelter and not fixed address storefront or other permanent type of structure authorized for sales transactions.

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.

Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.

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.

Sale: Any transfer of goods for money, trade, barter, or other consideration.

Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23. 12.

Retail Registration: An approved registration issued by Grant County to a state licensed cannabis retail business.

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.

Self-Service Merchandising: Open displays of licensed products in any manner where any person has access to the licensed products without the assistance or intervention of the licensee or the licensee's employee. Assistance or intervention means the actual physical exchange of the licensed product between the customer and the licensee or employee.

State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

THC: Is the acronym for tetrahydrocannabinol, the principal psychoactive constituent of cannabis.

Tobacco Store: A retail store utilized primarily for the sale of tobacco products and accessories and which the sale of other products is incidental.

Vending Machine: Any mechanical, electric, or electronic, or other type of device that dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

## Section 2 2.1

### Registration of Cannabis Business

#### **Consent to registering of Cannabis Business**

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

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of \$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, Grant County or their designee shall conduct a preliminary administrative 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, Grant County or their designee shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local ordinances.

## 2.3 **Registration and Application Procedure**

2.3.1 **Fees.** Grant County shall not charge an application fee.

A registration fee, as established in Grant County's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

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.

Any renewal retail registration fee imposed by Grant County shall be charged at the time of the second renewal and each subsequent renewal thereafter.

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 may 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.

2.3.2 **Application Submittal.**

Grant County or their designee shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

An applicant for a retail registration shall fill out an application form, as provided by Grant County or their designee. Said form shall include, but is not limited to:

Full name of the property owner and applicant

Business Trade Name

Address, email address, and telephone number of the applicant

The address and parcel ID for the property which the retail registration is sought

Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.

Applicants MN tax ID

Any additional information the County deems necessary.

The applicant shall include with the form:

Registration fee as required in [Section 2.3.1]

Copy of a valid state license or written notice of OCM license pre-approval.

List of all persons that have an interest of five percent or more in the business.

Identify if the business is a corporation, limited liability company, partnership, or other similar business organization.

Once an application is considered complete, Grant County or their designee shall review the application for conformance with this Ordinance and all applicable state and local laws/rules, including but not limited to compliance with local

ordinances.

Grant County or their designee shall inform the applicant as such, process the application fees, and forward the application to the Grant County Coordinator for the Grant County Board of Commissioners to approve or deny.

The application fee shall be non-refundable once processed.

If a registration is mistakenly issued or renewed to a person, it shall be revoked upon discovery of the mistake, and the County shall provide the licensee with a notice of revocation, along with information on the right to appeal.

**2.3.3 Application Approval**

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 2.6.

A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.

A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

**2.3.4 Annual Compliance Checks**

Grant County or their designee shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24.

Grant County shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 18 years of age but under the age of 21 who 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 local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

**2.3.5 Location Change**

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of Grant County and comply with all requirements in section 3.

**2.4 Renewal of Registration**

Grant County or their designee shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by Grant County or their designee. The renewal of a registration issued under this article shall be handled in the same manner as the original application. The request for a renewal shall be made at least 60 days but no more than 90 days before the expiration of the current license.

A cannabis retail registration issued under this ordinance shall not be transferred.

**2.4.1 Renewal Fees**

Grant County may charge a renewal fee for the registration renewal, as established in Grant County's fee schedule.

**2.4.2 Renewal Application**

The application for renewal of a retail registration shall include, but is not limited to: Items required under Section 2.3.2 of this Ordinance.

**2.5 Suspension of Registration**

**2.5.1 When suspension is warranted.**

Grant County may suspend a cannabis retail business's registration if it violates the ordinance of Grant County or poses an immediate threat to the health or safety of the public. Grant County shall immediately notify the cannabis retail business in writing the grounds for the suspension.

**2.5.2 Notification to OCM.**

Grant County or their designee shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide Grant County and the cannabis business retailers a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

**2.5.3 Length of suspension.**

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

Grant County may reinstate a registration if it determines that the violations have been resolved.

Grant County Shall reinstate a registration if OCM determines that the violation(s) have been resolved.

**2.5.4 Civil Penalties**

Subject to Minn. Stat. 342.22, subd. 5(e) Grant County may impose a civil penalty for registration violations, not to exceed \$2,000.

Civil Penalties - A penalty of up to a \$2000 fine and/or, license suspension for up to 30 days, may be imposed on a registered cannabis retail business. Upon finding that a violation of this Ordinance or of State law has occurred, and absent findings of aggravating, mitigating or extenuating circumstances, the following penalties shall apply, along with the costs of any hearing:

i. For a first violation within a 48-month time period - \$1,000

ii. For a second violation within a 48-month time period - \$2,000

iii. For a third violation within a 48-month time period – 30-day registration suspension and referral to the Office of Cannabis Management.

iv. Upon a finding of aggravating circumstances, penalties in excess of those outlined in this section of this Ordinance may be imposed.

**2.5.5 Administrative Penalty**

Registrants. Any registrant or other retail establishment who sells approved products to a person under the age of 21 years, or violates any other provision of this ordinance, or whose employee has violated this ordinance, will be fined per the Grant County fee schedule adopted by the County Board. The business License may be suspended as per provided by state statute.

**2.6 Limiting of Registrations**

Grant County shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within Grant County.  
Grant County shall limit the number of cannabis retail businesses to one.  
In the event there is more than one applicant Grant County will use a first come first serve basis to select 1 retail cannabis business.

**Section 3**  
**3.1**

Requirements for Cannabis Businesses

**Minimum Setback Requirements**

Grant County shall prohibit the operation of a cannabis business within 1000 feet of a school parcel.

Grant County shall prohibit the operation of a cannabis business within 500 feet of a daycare, residential treatment facility, and a public park, including a playground or athletic field parcel.

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/attraction within a public park moves within the minimum buffer zone.

Exceptions to distance restrictions LPHE:

No lower-potency hemp edible license or registration shall be issued for premises within 250 feet of any school or licensed child care facility.

**3.2**

**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 10:00 p.m., seven days a week.

**3.3**

**Advertising**

Cannabis businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business.

**3.1** Child-resistant packaging

All sales of any approved products and medical cannabinoid products must be packaged in child-resistant packaging. Upon request by the county, a registered retail establishment must provide a copy of the certificate of compliance or full laboratory testing report for the packaging used.

**Section 4**

Prohibited Acts

The provisions in this section apply to all jurisdictions and registered retail establishments throughout Grant County under the County's authority pursuant to Minn. Stat. § 145A.

In addition to the prohibitions set forth under Minn. Stat. § 342.46, subd. 7, and Minn. Stat. § 342.27, subd. 12 no registered retail establishment shall sell or offer to sell any approved product:

By means of a vending machine.

By means of self-service display.

All approved products must be stored behind the sales counter, in a storage unit, or in another area not freely accessible by the general public. This does not prohibit registered cannabis retailers from displaying single product samples

pursuant to Minn. Stat. § 342.27, subd. 5.

At a moveable place of business.

Only fixed location businesses may sell approved products and medical cannabinoid products

Samples are prohibited.

No samples of any approved products or medical cannabinoid

Free of charge or at a nominal cost product.

The distribution of approved products or medical cannabinoid products as a free donation is prohibited.

Product that does not comply with the packaging and labeling required under Minn. Stat. §§342.62 and 342.63 as may be amended from time to time.

By means of delivery sales.

All sales of approved products must be conducted in person, in a registered retail establishment, in over-the-counter sales transactions. This does not prohibit sale of medical cannabinoid products by medical cannabis combination businesses by curbside pick-up as allowed in Minn. Stat. §342.51, subd. 5.

Legal age.

No person shall sell any approved product to any person under the age of 21. Businesses licensed or endorsed to sell medical cannabinoid products may sell medical cannabinoid products to persons under age 21 who are enrolled in the medical registry program pursuant to Minn. Stat. § 342.24, subd. 1.

Age verification.

Before any sale of approved products, the registered retail establishment must verify by means of government-issued photographic identification containing the bearer's date of birth that the purchaser is at least twenty-one (21) years of age.

Smoking prohibited.

Smoking is prohibited within the indoor area of any registered retail establishment.

On-site consumption prohibited.

No registered retail establishment may allow on-site consumption of approved products on the premises, except cannabis businesses may allow employee medical cannabis use and on-site use for quality control pursuant to Minn. Stat. § 342.24, subd. 2.

Child-resistant packaging.

All sales of any approved products and medical cannabinoid products must be packaged in child-resistant packaging. Upon request by the county, a registered retail establishment must provide a copy of the certificate of compliance or full laboratory testing report for the packaging used.

No person shall bring licensed products purchased off of the licensed premises onto the licensed premises and consume.

On-site consumption of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products shall be prohibited at all registered businesses.

Exceptions include an employee who is in the Registry Program to consume medical cannabis flower and medical cannabinoid products; and the retail sales of hemp-derived consumer and topical products, and the retail sales and consumption of lower-potency hemp edibles in locations currently licensed for liquor sales.

Section 5  
5.1

Temporary Cannabis Events

**License or Permit Required for Temporary Cannabis Events**

5.1.1. Licensed Required

A license or permit is required to be issued and approved by Grant County or their designee prior to holding a Temporary Cannabis Event.

5.1.2 County Property

Grant County shall not register any temporary cannabis events which seek to host a temporary cannabis event on any property owned or operated by Grant County.

5.1.3 Registration and Application Procedure

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

5.1.4 Application Submittal and Review

Grant County or their designee requires an application for registration of Temporary Cannabis Events.

An applicant shall fill out an application for registration form, as provided by the Grant County or their designee, said form shall include, but is not limited to:

Full name of the property owner and applicant.

Business or Trade Name

Address, email address, and telephone number of the applicant

Emergency Contact number of the applicant for the event.

Any other information the Grant County deems necessary.

The applicant shall include with the form:

Application fee as required in Grant County's Fee Schedule.

Copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

Detailed plans for the event including but not limited to: duration, hours, number of expected attendees, plans for emergency operations, shelter in case of weather, plans for security, plans for verifying minors are not allowed to attend event, workers comp and liability insurance.

The application shall be submitted to Grant County, 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.

Once an application is considered complete, Grant County or their designee shall inform the applicant as such, process the application fees, and forward the application to the Grant County Coordinator who will bring it to the Grant County Board for final approval or denial. The County Board reserves the right to deny an application that has not sufficiently planned or detailed feasible safety and security plans.

The application shall be submitted to Grant County Environmental Services and Grant County Sheriff 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.

The application fee shall be non-refundable once processed.

The application for a license for a Temporary Cannabis Event shall meet the following standards:

Temporary cannabis events must comply with the buffer requirements described in section 3.1.

Temporary cannabis events must comply with all requirements detailed

in Minn Stat. 342.4, subds. 3, 4, 5, 6, 7, and 8.

A request for a Temporary Cannabis event that meets the requirements of this Section shall be approved.

A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. Grant County or their designee shall notify the applicant of the standards not met and basis for denial.

Section 6

Lower-potency Hemp Edibles

6.1

**Sale of Low-Potency Hemp Edibles**

The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.

Registered retail businesses that sell hemp-derived consumer and topical products, and lower-potency hemp edibles are not subject to the setbacks in Section 3.1.

See 'Exceptions to distance restrictions LPHE'.

6.2

**Additional Standards**

5.2.1 Sales within Municipal Liquor Store

The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.

5.2.2 Beverages

The sale of Low-Potency Hemp Beverages is permitted in places that meet requirements of this Section.

5.2.3 Storage of Product

Low-Potency Edibles shall be sold behind a counter, and stored in a locked case.

Section 7

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. This prohibition extends to any method of use including the smoking or vaping of cannabis or hemp-derived products.

**EXCEPTIONS TO PUBLIC PLACE OR PLACE OF PUBLIC ACCOMMODATION**

A public place or place of public accommodation does not include the following:

-A private residence, including the individual's curtilage or yard;

-A private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or

-On the premises of an establishment or event licensed to permit on-site consumption.

Section 8

Severability and Saving Clause

If any section or portion of this ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or affect the validity and enforceability of any other section or provision of this ordinance.

**ADOPTED** by the Grant County Board of Commissioners this 15th day of September, 2025.

  
\_\_\_\_\_  
Doyle Sperr, County Board Chair

**ATTEST:**

  
\_\_\_\_\_  
Tina Riley, County Coordinator  
Grant County, Minnesota

