

CITY OF PIPESTONE

ORDINANCE 160, FOURTH SERIES

AN ORDINANCE REPEALING THE PROHIBITION OF THE SALE OF EDIBLE CANNABINOID PRODUCTS IN THE CITY OF PIPESTONE.

THE CITY OF PIPESTONE ORDAINS:

Article I. Legislative Findings.

- A. On August 21, 2023, the City of Pipestone (“City”) adopted Ordinance No. 149, Fourth Series, “An Ordinance Prohibiting the Sale of Edible Cannabinoid Products Pursuant to Minnesota Statutes, Section 151.72” (“Ordinance”).
- B. At the time, Minnesota Statutes, section 151.72 did not expressly prohibit or limit local regulations of edible cannabinoid products that are authorized for retail sale therein, and the temporary regulations established in Minnesota Statutes, section 151.72 clearly did not constitute the Legislature having occupied the field of regulation regarding the sale of edible cannabinoid products.
- C. In the 2024 legislative session, the Minnesota Legislature amended Minnesota Statutes, section 342.13 to provide that other than a city acting to place a limit on the number of retailers within a city, “a local unit of government may not prohibit the establishment or operation of a cannabis business or hemp business licensed under this chapter.”
- D. A “hemp business” includes the retail sale of “lower-potency hemp edibles”, and the definition of “edible cannabis product” and “lower-potency hemp edible” under Minnesota Statutes, section 342.01 are very similar and generally reference the same products.
- E. The amendment of Minnesota Statutes, section 342.13 became effective upon the signature of the Governor on May 24, 2024.
- F. The Office of Cannabis Management has not begun issuing licenses for hemp businesses, but Minnesota Statutes, section 151.72 will be repealed on March 1, 2025, and the Office of Cannabis Management will soon be adopting additional rules and regulations with regard to the sale of lower-potency hemp edibles.
- G. The City finds that it should no longer prohibit the sale of edible cannabinoid products, and it is in the best interests of the City to repeal the Ordinance.

Article II. Repeal of Ordinance No. 149, Fourth Series. Ordinance No. 149, Fourth Series, is hereby repealed in its entirety.

Article III. Severability. Should any section or part of this ordinance be declared by a court of

competent jurisdiction to be invalid, such decision will not affect the validity of the ordinance as a whole or any part other than the part declared invalid.

Article IV. Effective Date. This ordinance shall become effective the day after its legal publication.

Adopted this 21st day of October, 2024

Dan Delaney, Mayor

ATTEST: _____
Deb Nelson, City Administrator

Date of Publication October 24, 2024
Effective Date October 25, 2024