

CITY OF PLYMOUTH

ORDINANCE No. 2024-

ORDINANCE AMENDING CHAPTERS 9 AND 11 OF THE PLYMOUTH CITY CODE (2024-)

THE CITY OF PLYMOUTH ORDAINS:

Section 1. Amendment of City Code. Section 1150.05 of the Plymouth City Code (TOBACCO AND RELATED PRODUCTS – Prohibited Acts) is hereby amended with existing text, new text, and ~~deleted text~~ as follows:

A. It shall be a violation of this Section for any person to sell or offer to sell any tobacco-related product:

1. To any person under the age of 21 years.
2. By means of any type of vending machine.
3. By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premises in order to receive the tobacco-related product, and whereby there is not a physical exchange of the tobacco-related product between the licensee, or the licensee's employee, and the customer.
4. By means of loosies.
5. Containing opium, morphine, jimson weed, belladonna, strychnos, cocaine, ~~marijuana~~, or other deleterious, hallucinogenic, toxic or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process. It is not the intention of this provision to ban the sale of lawfully manufactured cigarettes or other tobacco products.
6. In the form of liquid, whether or not such liquid contains nicotine, which is intended for human consumption and use in an electronic delivery device, in packaging that is not child-resistant. Upon request, a licensee must provide a copy of the certificate of compliance or full laboratory testing report for the packaging used.
7. By other means, to any other person, on in any other manner or form prohibited by federal, state or other local law, ordinance provision, or other regulation.

Section 2. Amendment of City Code. Section 970.01 of the Plymouth City Code (PUBLIC USE OF CANNABIS PRODUCTS - Definitions) is hereby amended with existing text, new text, and ~~deleted text~~ as follows:

For purposes of this Section, the terms defined herein have the meanings given them.

Cannabis: ~~Any product containing the harvested flower, bud, leaves, or stems of a plant of the genus Cannabis that has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis. Cannabis includes adult use Cannabis flower, medical Cannabis flower, and any derivative, concentrate, extract, resin, or other product made from a Cannabis plant. See Section 21005.02.~~

Hemp: ~~Any product containing the harvested flower, bud, leaves, or stems of a plant of the genus Cannabis that has a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis. Hemp includes any derivative, concentrate, extract, resin, or other product made from a hemp plant. See Section 21005.02.~~

Electronic delivery device: Any product containing or delivering a substance intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor.

Smoking: Inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated product that is intended for inhalation. Smoking included using an electronic delivery device.

Public place: Property owned, leased, or controlled by a governmental unit. Public Place does not include the following:

- (1) A private residence including the person's curtilage or yard; or
- (2) Private property not generally accessible by the public, unless ~~the person is explicitly consumption of prohibited from consuming~~ cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products is strictly prohibited on the property by the owner of the property; or
- (3) The premises of an establishment or event licensed to permit on-site consumption.

Section 3. Amendment of City Code. Section 1005 of the Plymouth City Code (LICENSES AND PERMITS; PROCEDURES AND FEES. – Licensing Procedures) is hereby amended with existing text, new text, and ~~deleted text~~ as follows:

Subd. 13. Cannabis Fees

<u>Type of Registration or License</u>	<u>Fee</u>
<u>Initial Cannabis or Hemp Retail Registration (including cannabis retailer, cannabis microbusiness with retail endorsement, cannabis mezzobusiness with retail endorsement, medical cannabis retailer, medical cannabis combination business, and lower-potency hemp edibles retailer)</u>	<u>\$500, or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less.</u>
<u>Cannabis or Hemp Retail Renewal</u>	<u>\$1,000, or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.</u>
<u>Temporary Cannabis Event License</u>	<u>See Temporary On-Sale Liquor License Fee</u>
<u>Civil Penalty for Cannabis Registration Violation</u>	<u>\$2,000</u>

Section 4. Effective Date. This amendment shall take effect immediately upon its passage.

ADOPTED by the City Council this 12th day of November, 2024.

Jeffry Wosje, Mayor

ATTEST

Jodi M. Gallup, City Clerk