



Staff Report:

Issue: Consider emergency ordinance establishing a moratorium on the sale of hemp derived THC (Tetrahydrocannabinols)

BACKGROUND:

It is now legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), the cannabis ingredient extracted from hemp. The new law was passed by the Legislature as part of [Chapter 98](#). Article 13 makes several changes to [Minnesota Statutes, section 151.72](#) regarding the sale of certain cannabinoid (CBD) products. The changes took effect on July 1, 2022.

This new law was intended to reign in the selling of delta-8, a substance manufactured from hemp-derived cannabidiol that has similar intoxicating effects as the more commonly known cannabinoid delta-9. Instead, the language authorized certain amounts of both delta-8 and delta-9 in edible CBD products. This legislation was passed in the last days of session without broad discussion, with the provision added into the health and human services policy omnibus bill. The full impacts of the legislation are still being realized.

As a result, staff is recommending the council consider adopting an emergency ordinance that would hereby establish a moratorium on the sale of hemp derived THC (tetrahydrocannabinols) food and beverages in order to allow the city time to study the issue and consider licensing and rules, and sales management controls for the sale of hemp derived THC food and beverages, similar to tobacco sales and products, behind the sales counter, checking identifications (ID's), enforcement, compliance and license fees. It would also give the City an opportunity to work with the other area cities on creating consistent licensing and rules as well given our proximity to one another.

A Interim Ordinance enacting the moratorium can be adopted by the City Council for a period of up to 12 months giving the City time to study the impacts of these new laws. Enclosed is a copy of the Interim Ordinance that would authorize the moratorium for Council's review and consideration.

REQUIRED ACTION:

Approve or Deny the proposed Interim Ordinance placing a moratorium on the sale of hemp derived tetrahydrocannabinol (THC) food and beverages within the City of Waite Park as presented or with revision.

RECOMMENDED ACTION: This is a policy decision for the City Council to decide.



SUGGESTED MOTIONS:

Council member _____ moved to approve OR deny the proposed Interim Ordinance placing a moratorium on the sale of hemp derived tetrahydrocannabinol (THC) food and beverages within the City of Waite Park as presented or with revision. as presented or with the following revisions: _____

Council member _____ seconded the motion.

ROLL CALL

Councilmember Michael Linquist _____
Councilmember Ken Schmitt _____
Councilmember Vic Schulz _____
Councilmember Frank Theisen _____
Mayor Richard Miller _____

Motion (Approved) (Denied)