

**ORDINANCE NO. 24-08**

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 113 OF THE FALCON HEIGHTS CITY  
CODE ALLOWING AND ESTABLISHING REGULATIONS FOR CANNABIS RETAIL  
ESTABLISHMENTS**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION I.** The following definitions in Section 113-3 of the City Code of Falcon Heights, Minnesota, are hereby added, amended to read, or deleted as follows (Deletions are shown with a strikethrough. Additions are underlined):

*Cannabis retail establishment* means a cannabis business with a license or endorsement authorizing the retail sale of cannabis flower, cannabis plants, or cannabis products.

*Lower-Potency Hemp Edible Retailer* has the meaning as established in Minnesota Statutes Chapter 342, as amended.

*Special event* means any temporary, outdoor privately-sponsored event open to the general public and held on privately owned property, ~~except:~~ Special events including cannabis events licensed under Minnesota Statutes Chapter 342 regardless of size, but do not include:

- (1) Any permanent place of worship, stadium, athletic field, arena, theater, auditorium;
- (2) Any event conducted on the campus of the University of Minnesota or the grounds of the Minnesota State Fair;
- (3) Special events or activities sponsored by the city;
- (4) Family gatherings, including family reunions, graduation parties, baptisms, confirmations, weddings, wedding receptions, funerals and funeral processions;
- (5) Garage sales and residential boutique sales as regulated in section 113-174;
- (6) Block parties and neighborhood meetings;
- (7) Any event attended by fewer than 150 persons at one time which does not require any special services and does not involve the sale of alcohol;
- (8) Any event that is other regulated by the city through the use of another regulatory manner, such as an interim use permit or conditional use permit; and
- (9) The use of traditional public forums as alternative channels of communication by the public, provided that such use is for the free exercise of constitutionally protected activities and does not disrupt or interfere with traffic on public streets or the use of public places by other members of the public.

**SECTION II.** Section 113-179(c) of the City Code of Falcon Heights, Minnesota, is hereby amended to add new subsections (36) and (37) to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

(36) Cannabis retail establishment, subject to additional standards as specified in section 113-255.

(37) Lower-potency hemp edible retail, subject to additional standards as specified in section 113-255.

**SECTION III.** Section 113-255 of the City Code of Falcon Heights, Minnesota is hereby added to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

**Sec. 113-255 – Cannabis or hemp retail establishments.**

A cannabis business with a license or endorsement authorizing the retail sale or any lower-potency hemp edible retailer must meet the following requirements and all requirements as outlined in Chapter 14, Article X:

- (1) No individual or entity may operate a state-licensed cannabis retail business within the City of Falcon heights without first registering with the City of Falcon Heights. See Chapter 14, Article X for requirements.
- (2) Only one cannabis retailer, cannabis microbusiness with a retail endorsement, or cannabis mezzobusiness with a retail endorsement shall be permitted in the City of Falcon Heights at a time.
- (3) Cannabis retailer distance restrictions.
  - a. No registered cannabis retail business may be located within 300 feet of any primary and secondary school, measured from the property line of the school to the principal structure of the cannabis retail business.
  - b. No registered cannabis retail business may be located within 300 feet of any daycare, residential treatment facility, or attraction within a public park that is regularly used by minors, including a playground or athletic field, measured from the nearest property line of a daycare, residential treatment facility, or attraction within a public park that is regularly used by minors to the principal structure of the cannabis retail business.
  - c. This restriction does not apply to lower-potency hemp edible retailers.
- (4) Sales of approved products at a registered cannabis retail business are only allowed between the hours of 10 a.m. and 9 p.m. seven days per week.
- (5) No registered retail establishment may allow on-site consumption of cannabis flower, cannabis products, or lower-potency hemp edible products on the premises unless expressly permitted to do so by the terms of its license from the State of Minnesota.
- (6) Smoking is prohibited within the indoor and outdoor area of any registered cannabis retail establishment, including patios, decks, porches, and any similar

area related to the registered retail establishment.

- (7) A cannabis retail establishment is prohibited from sharing a common entrance with a business licensed as a tobacco products shop.
- (8) All operations of the business shall take place within an enclosed building.

**SECTION IV.** Section 113-315(r)(14) of the City Code of Falcon Heights, Minnesota, is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- r. Retail, including cannabis retail establishments and lower-potency edible hemp retailers. One space for each 150 square feet of gross floor area.

**SECTION V.** Section 113-402 of the City Code of Falcon Heights, Minnesota is hereby amended to add a new subsection (6) to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

- (6) Cannabis consumption. The on-site consumption of cannabis or cannabis products, including lower-potency hemp edibles or beverages, is prohibited at all special events.

**SECTION VI. Effective date.** This ordinance is effective immediately upon its passage and publication.

ADOPTED this 11<sup>th</sup> day of December 2024, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY:   
Randall C. Gustafson, Mayor

ATTEST:

  
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Jack Linehan, City Administrator