

City of Fergus Falls Cannabis Selection Policy

Minnesota Statutes Chapter 342 authorizes the City of Fergus Falls to protect the public health, safety and welfare of city residents by regulating cannabis businesses within the legal boundaries of the City of Fergus Falls. This policy establishes guidelines for selecting who shall receive a cannabis retailer license within the City of Fergus Falls should the number of state-licensed cannabis retail business applications exceed the allowable number of registrations.

Number of Licenses

The city shall issue at least one registration for a cannabis retail business and may issue up to two.
Fergus Falls City Code §121.06

Registration Process

- The City of Fergus Falls only accepts approved applications for an individual or entity from the Office of Cannabis Management for retail registration.
- No individual or entity may operate a state-licensed cannabis retail business within the City of Fergus Falls without first registering with the City of Fergus Falls.

Fergus Falls City Code §121.06

Compliance Checks

Prior to issuance of a cannabis retail businesses registration, the City of Fergus Falls shall conduct a preliminary compliance check to ensure compliance with local ordinances, including adherence to local zoning laws and distance from schools, parks, daycares, and residential treatment facilities. The city will provide certification for inclusion in the application packet that the applicant complies with the requirements of local ordinances. An application for a cannabis business that does not comply with all local ordinances will not be considered further.

Fergus Falls City Code §121.07

Applications

The City of Fergus Falls shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22. Applicants must fill out an application form, as provided by the City of Fergus Falls, that includes:

- The full name of the property owner and applicant.
- Address, email address and telephone number of the applicant.
- The address and parcel ID for the property for which the retail registration is sought.
- Narrative sections indicating the number of FTE jobs and wages which pay at least the higher of State or Federal minimum wage, links to other local business, and agricultural support and opportunities.
- Copy of a valid state license or written license of OCM license preapproval.
- Application fee.

Fergus Falls City Code §121.08.2

Selection Process

If multiple applications for a state-licensed cannabis retail business are received within 30 days of each other and the total would exceed the maximum number of registered businesses permitted, the council will score and prioritize the applications to ensure that the most compliant, well- planned,

and economically beneficial business(es) are approved. Each application will be evaluated based on the following criteria, with a maximum possible score of 100 points:

- 1) Complete state licensing application packet, including:
 - a) Business plan **(12 points)**
 - b) Security plan **(7 points)**
 - c) Odor control (including ventilation plan) **(7 points)**
 - d) Waste control plan **(5 points)**
 - e) Accounting and tax compliance plan **(7 points)**
 - i) Business capitalization table (The applicant can demonstrate adequate financing for the project) **(12 points)**
- 2) Standard operating procedures for:
 - a) Quality assurance (noting the entity chosen to perform third-party testing upon application) **(7 points)**
 - b) Inventory control, storage, and diversion prevention **(5 points)**
- 3) Comprehensive site plan detailing entrances and exits (both public and employee), ventilation points, and other relevant structural features. **(10 points)**
- 4) The project will not significantly and adversely increase the demands for service needs in the City (water, sewer, refuse, etc) **(5 points)**
- 5) Qualifications and backgrounds of the management team:
 - a) Education and training **(5 points)**
 - b) History of adherence to regulations in similar businesses **(5 points)**
 - c) Ownership is local or regional **(5 points)**
- 6) The project has links to local business and will result in strengthening local business **(5 points)**
- 7) The project supports and strengthens agricultural opportunities **(3 points)**

The City of Fergus Falls will only accept and review applications for cannabis retail business licenses that are complete at the time of submission. An application will be considered complete when all required documents, forms, and plans have been provided in full, and all applicable fees have been paid.

The City Council reserves the right to revoke this policy or implement additional requirements if public safety or city regulations are compromised.

Revised 11/27/2024 by Klara Beck

Policy Adopted December 2, 2024 by Resolution #225-2024