

**COUNTY OF KANABEC
ORDINANCE NO. 35**

**AN INTERIM ORDINANCE PLACING A MORATORIUM ON THE SALE OF
HEMP DERIVED TETRAHYDROCANNABINOL (THC) FOOD AND
BEVERAGES WITHIN THE COUNTY OF KANABEC**

The County of Kanabec HEREBY ORDAINS:

SECTION 1: Purpose and Intent

- A. The County of Kanabec (the “County”) recognizes significant public interest in new State laws that took effect July 1, 2022, that now make it legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), the cannabis ingredient extracted from hemp.
- B. The County held a public hearing on the topic of using an Interim Ordinance to put in place a moratorium related to hemp derived cannabis.
- C. The purpose of the moratorium is to allow the County of Kanabec/Kanabec County Community Health time to complete a study to determine whether to effectuate changes to the Zoning Ordinance and/or County Code that would regulate the sales, testing, manufacturing, and distribution of cannabis and cannabidiol (CBD) for medical, recreational, and other purposes, in addition to the sale of hemp derived tetrahydrocannabinol (THC) food and beverages, and regulate the placement and circumstances under which land and structures may be used for such purposes.
- D. Minnesota Statutes Section 394.34 allows the County to adopt a temporary Interim Ordinance for a period of up to twelve (12) months from the date it is effective to allow for such study and adoption in order to protect public health, safety and general welfare of its citizens.

SECTION 2: Prohibition

- A. Pursuant to Minnesota Statutes 394.34, the County hereby adopts and approves this Interim Ordinance establishing a moratorium temporarily prohibiting within the County of Kanabec the sales of hemp derived tetrahydrocannabinol (THC) food and beverages.
- B. During the effective period of this Interim Ordinance, the County of Kanabec will prohibit the sales of hemp derived tetrahydrocannabinol (THC) food and beverages pending completion of the above referenced study and the determination of whether the County should adopt appropriate official controls.
- C. In addition, no application related to the license, use, development, variances, conditional use permits, or any other planning or licensing application that involved the sales, testing, manufacturing, or distribution of cannabis, medical or recreational, in any way, and

cannabidiol products shall be accepted or considered during the effective period of this Interim Ordinance.

- D. Pre-existing businesses, established and operating before July 1st 2022, that prior to July 1, 2022, undertook the sales of hemp derived tetrahydrocannabinol (THC) food and beverages, will be allowed to continue to operate as they were before the effective date of this Interim Ordinance, but may not expand the scope of those operations in any way during the period of time in which this Interim Ordinance is in effect.
- E. Kanabec County may enforce any provision of this Interim Ordinance by any and all means authorized by Kanabec County Ordinances and State Statutes.
- F. Every section, provision, or part of this Interim Ordinance is declared severable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

SECTION 3: Effective Date and Duration

- A. This interim ordinance shall be in effect for a period of twelve (12) months from the date of adoption, unless earlier terminated by the Kanabec County Board of Commissioners.
- B. This interim ordinance is hereby adopted by the County Board of Kanabec County this 6th day of September, 2022 and shall take effect upon adoption.

COUNTY OF KANABEC

By: _____
Board Chairperson

ATTEST

By: _____
County Coordinator

This interim ordinance was published in the Kanabec County Times on September 15, 2022.