



Lower potency cannabinoid products application instructions

Please review the list below of documents and instructions and contact Administration Department staff at 763-494-6000 or licensing@maplegrovern.gov with questions.

Return all documents and payment to the Government Center:

City of Maple Grove
Administration Department - licensing
12800 Arbor Lakes Pkwy N
Maple Grove, MN 55369

Document	Instructions
<i>Included in application packet:</i>	
<ul style="list-style-type: none">• Lower potency cannabinoid license application	Complete all questions before submitting application to the city.
<ul style="list-style-type: none">• Background investigation consent release	Completed by the person signing the application.

license fee: \$250

background investigation fee: \$500 for partnership/corporation or \$250 for individual

The City of Maple Grove accepts license payments in the form of a check only payable to the City of Maple Grove. Checks may be mailed or hand delivered to the Government Center. Upon City Council approval, a license will be prepared and mailed to the local business, unless otherwise requested.



LOWER POTENCY CANNABINOID PRODUCTS LICENSE APPLICATION

12800 Arbor Lakes Pkwy Maple Grove, MN 55369
763-494-6000
licensing@maplegrovern.gov

Part I Business Information: CITY CODE SEC 10-34 (a)

Legal Corporate Name	Trade Name (DBA)	Telephone Number	
Address	City	State	Zip code
Mailing Address (if different than above)	City	State	Zip code
MN Tax ID, Social Security or Individual Tax number REQUIRED BY Minn. Stat. § 270C.72, subd. 4	Federal Tax ID number REQUIRED BY Minn. Stat. § 270C.72, subd. 4		
Maple Grove Business Name	Address		

How long has the business been at this location?

Part II Applicant Information: Person Signing Application CITY CODE SEC 10-34 (c)

Name	E-mail Address
Complete Home Address	Phone Number

Are you the owner and operator of the business? Yes or No
If no, please identify name and address of the owner/operator

Applicant and owner/operator must complete a background consent form included in this packet.

**Part III References: List three (3) references with knowledge of the applicant and/or the business.
Provide name, complete mailing address and telephone number: CITY CODE 10-34 (a)**

First and Last Name	Complete Mailing Address	Telephone Number

Part IV Workers' Compensation Information: Minn. Stat. § 176.182

Complete number 1, 2, or 3 below

NUMBER 1 – Complete this portion if you are insured:

Workers' Compensation Insurance Company (not agency or agent)	Policy Number	Coverage Dates
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NUMBER 2 – Complete this portion if self-insured:

- I have attached a copy of the permit to self-insure.

NUMBER 3 – Complete this portion if exempt:

I am not required to have workers' compensation liability coverage because:

- I have no employees
- I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered:

Part V Financial Claims: CITY CODE SEC 10-34 (C)

Does the applicant have any delinquent or unpaid real estate taxes, assessments or other financial claims due to the City?

- Yes or No If yes, provide details.

Part VI Lease Company: CITY CODE SEC 10-34 (a)

Business Premises Verification:

- If premises is owned – Attach copy of signed purchase agreement from the seller
- If premises is leased – Attach copy of signed lease agreement from the owner of the premises and attach a copy of the signed purchase agreement of the business.

Indicate the name and complete address of the company you lease from, if applicable.

Part VII Background Investigations: *The city requires consent to conduct background investigations for any person(s) who meets the criteria stated below.* CITY CODE SEC 10-34 (b)

Anyone listed in this section is required to complete a background consent form included in this packet.

- Provide a mailing address and date of birth for each applicant and for the person or persons responsible for day-to-day operations and management or control of the applicant’s establishment.

Note: A written notification to the city is required when management changes.

- If the applicant is a business entity (including without limitation a corporation, limited liability company, or partnership), provide the state of incorporation or organization and the names, mailing addresses, and dates of birth for any individual who owns at least a 20% interest in the applicant.
- If the owner of any such 20% or greater share in a business entity applicant is another business entity, provide the names, mailing address, and dates of birth of any individual who owns at least a 50% interest in such business entity.

First and Last Name	Complete Mailing Address	Date of Birth

Part IX Applicant Acknowledgement and Signature

The applicant acknowledges that:

- (1) this application is made pursuant and subject to all laws of the State of Minnesota, and the ordinances and regulations of the City of Maple Grove related to the sale and places of sale of tetrahydrocannabinol (THC) products;
- (2) the applicant has answered all questions in a true and correct manner to the best of the applicant's knowledge and belief; and
- (3) when applying for a new license or a change in applicant information, the applicant will be charged, in advance, a nonrefundable investigation fee pursuant to City Code.

Signature of Applicant	Date
Print Name	Title



**CITY OF MAPLE GROVE DEPARTMENT OF PUBLIC SAFETY
BACKGROUND INVESTIGATION CONSENT RELEASE**

12800 Arbor Lakes Pkwy Maple Grove, MN 55369
763-494-6000
licensing@maplegrovern.gov

As a license applicant, I hereby give my consent for a personal background investigation, which may include a criminal history check, to be used in the determination of whether my application is to be approved. The results of such investigation shall be made public according to state law upon appropriate City Council approval or denial of the license application. I understand that I am under no legal obligation to consent to such investigation, but that if I refuse to so consent, my application cannot be processed.

I release the City of Maple Grove and the Maple Grove Police Department, and any of its agents or employees, from any and all liability for its receipt and use of information and records received pursuant to this consent. I further acknowledge that I have carefully read this release, fully understand its terms and legal significance, and execute it voluntarily.

The statements contained in this form are true, correct, and made with the understanding that information provided may be made public consistent with Minnesota law. I understand that any false statements may result in denial of the application.

Maple Grove Business Name:

Personal Information:

First Name	Middle Name	Last Name
Home Address		City/State/Zip
Home Telephone		Business Telephone
Date of Birth		City and State of Birth
Driver's License Number		State

Physical Information:

Sex	Race	Height	Weight	Eye Color	Hair Color
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Other Known Names:

TENNESSEN WARNING: In connection with your request for a license, the city has asked that you provide information about yourself which may be classified as private, confidential, nonpublic, or protected nonpublic under the Minnesota Government Data Practices Act. This means that this data is not ordinarily available to the general public. Accordingly, the city is required to inform you of the following:

1. The purpose and intended use of the information requested is to determine if you are eligible for a license from the City of Maple Grove.
2. You are not legally obligated to supply the requested information. The known consequence of supplying the requested information is that the information or further investigation could cause your application to be denied. The known consequences of refusing to supply the requested information is that your request for a license cannot be processed.
3. A criminal charge, arrest, or conviction will not necessarily bar you from obtaining a license with the city, unless the conviction is related to the matter for which the license is sought, according to Minn. Stat. § 364.03. However, failure to reveal the requested criminal information will be considered falsification of the application and may be used as grounds for the denial of the application.
4. Other governmental agencies necessary to process your application are authorized by law to receive the information provided.
5. The city is required by law to furnish some of this information to state government agencies and departments.

The undersigned, by signing this notice, acknowledges that he/she has read and understood the contents of this notice and has received a copy of this notice.

Signature	Date
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ARTICLE II. LOWER POTENCY CANNABINOID PRODUCTS¹

Sec. 10-31. Purpose and intent.

- (a) The purpose of this section is to regulate the sale of products containing more than trace amounts of tetrahydrocannabinol (THC) and that meet requirements for such products to be sold for human or animal consumption under Minnesota law.
- (b) The city recognizes that the unregulated use of such lower potency cannabinoid products poses potential risks to the health, safety, and welfare of its residents, particularly those under the age of 21.
- (c) Regulation at the city level, where authorized by state law, is appropriate to ensure that retailers comply with laws related to the sale of such lower potency cannabinoid products as well as business standards of the city to protect the health, safety, and welfare of the city's youth and most vulnerable residents.
- (d) Requiring licensure, as authorized by state law, will not unduly burden legitimate business activities of retailers who wish to sell lower potency cannabinoid products for adult use but will allow the city to regulate the operation of lawful businesses to discourage violations of state and local law.
- (e) It is the intent of the city to ensure responsible retailing and use by adults of lower potency cannabinoid products and discouraging violations of restrictions on such sales, especially where unlawful activity would promote use by those under the age of 21.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-32. Definitions.

Unless context clearly indicates otherwise, the words, combinations of words, terms, and phrases used in this article shall have the meanings set forth in this section.

Compliance check. The system used by the city to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this article and state law. Compliance checks involve the use of persons under the age of 21 who purchase or attempt to purchase licensed products. The city may also conduct operations to determine compliance with this article and state law for purposes of education, research, and training purposes.

Delivery sale. Any sale of a lower potency cannabinoid product that is not completed in between the presumed end user of the product and an employee in an in-person, over-the-counter transaction in the licensed premises. Delivery sales include, but are not limited to, sales conducted by phone or other voice transmission, by mail, the Internet, or app-based services and sales using delivery by third parties or other means such as curbside pickup.

Lower potency cannabinoid product. Any item or product that contains more than trace amount of tetrahydrocannabinol (THC) and meets all requirements stated in Minn. Stat. § 151.72, subd. 3, as may be from time to time amended.

¹Editor's note(s)—Ord. No. 19-12, § 2, adopted Nov. 4, 2019, repealed the former Art. II, §§ 10-31—10-39 entitled "Amusement Centers and Amusement Machines," which derived from Code 1984, §§ 402:00—402:40.

Retail establishment means any licensed place of business where any licensed products are available for sale to the general public. Retail establishments include, but are not limited to, grocery stores, convenience stores, and restaurants.

Sale. Any transfer of goods for money, trade, barter, or any other consideration.

Self-service or automated sale. Any sale of a lower potency cannabinoid product that is accessible to the public without the personal assistance of an employee of the licensed establishment.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-33. Prohibit acts.

- (a) *License required.* No person shall sell or offer to sell any lower potency cannabinoid product within the city without first having obtained a license to do so.
- (b) *Minimum legal age.* No person shall sell any lower potency cannabinoid product to any person under the age of 21. Licensees shall verify by means of government issued photographic identification that a purchaser is at least 21 years of age. Licensees shall post signage advising of the minimum legal age for purchases that is clearly visible to anyone who is making or considering a purchase of any lower potency cannabinoid product.
- (c) *Sampling prohibited.* No person shall offer or provide samples of any lower potency cannabinoid product. sampling includes any distribution of lower potency cannabinoid product at zero or de minimis cost.
- (d) *Delivery and self-service or automated sales prohibited.* No person shall provide any lower potency cannabinoid product to any person by means of delivery sale or via self-service or automated sale.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-34. Licensing for lower potency cannabinoid product retailers.

- (a) *Application.* An application for a license to sell any lower potency cannabinoid product shall be made on a form provided by the city. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and all other information the city may deem necessary. If the city clerk determines that an application is incomplete, the clerk shall return the application to the applicant with notice of the information necessary for a complete application. Upon receipt of a completed application, the city clerk shall forward the application to the city council for action at its next regularly scheduled meeting.
- (b) *Background investigation.* The city shall conduct a background investigation on all new applicants. The investigation shall consider all facts and information bearing on the question of the applicant's fitness to receive the license and perform the duties and responsibilities required by this article. The city may conduct a background investigation for any renewal application as it may deem necessary. A license issued or renewed in error may be immediately revoked upon discovery of ineligibility to hold a license under this article and the city shall provide notice of the revocation along with information as to the applicant's right to appeal.
- (c) *Business entity applicants.* Any applicant that is a business entity shall furnish with the application a list of all persons that have a financial interest in the business of five percent or greater, including the percentage ownership of each. Business entities must notify the city of any change in ownership in the business entity. In such event, the city may require a new application process and background investigation. The city may at any reasonable time examine business records of any business entity licensee to verify the identity of the owners and other information as provided in the application. After notice and a hearing, the city may revoke any license upon a determination that a change in ownership or status of the business entity has resulted in a

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material change affecting eligibility for a license. The failure to provide accurate information required by the application form or this article shall be grounds for license revocation.

- (d) *Action on application.* The city council may approve or deny the application for a license under this article or it may delay action on the application for a reasonable period as necessary to complete any investigation it deems necessary. If the city council approves the application, the city clerk shall issue the license. If the city council denies the application, the city clerk shall provide notice to the applicant of the denial and the right to appeal. Upon denial of the application following any appeal, an applicant may not reapply for at least 12 months after the date the license is denied.
- (e) *Term.* All licenses issued under this article shall remain valid: (1) unless suspended or revoked under the provisions of this article; (2) for a period 18 months; or (3) until retailers selling lower potency cannabinoid products are required to obtain a license from the State of Minnesota, whichever occurs first. Licenses granted under this section may not be transferred.
- (f) *Display.* Licenses issued under this article shall be displayed in plain view of the public in the licensed premises.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-35. License fee.

No license shall be issued under this article until the appropriate fee has been paid in full. The fee for the license under this article shall be established by the city council and adopted in the city's fee schedule as may be amended from time to time.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-36. Ineligibility for license.

The city may deny an application for a license on the grounds of any of the following:

- (1) The applicant is under the age of 21 years.
- (2) The applicant is prohibited by law from holding a license.
- (3) The applicant has been convicted within the preceding five years for any violation pertaining to the sale of licensed products.
- (4) The applicant has had a license to sell licensed products suspended or revoked within the 12 months preceding the application.
- (5) The applicant is a business entity that has not identified an operating officer or manager who is eligible to receive a license pursuant to this article.
- (6) The council determines that the applicant is not the real party in interest or the beneficial owner of the business to be operated under the license.
- (7) The applicant fails to provide any information required by the application form or provides false or misleading information. A license issued on the basis of any information later determined to be false or misleading or in any instance where information was willfully omitted from the application shall be void and shall not protect the applicant from the penalties set forth in this article or under state law.
- (8) The applicant or the premises of the business to be operated under the license is delinquent or overdue on payment of any tax, assessment, or financial claim of the city, county, or state.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-37. Compliance checks; responsibility of licensee; display and storage.

- (a) *Compliance checks.* All premises licensed under this article shall be open to inspection by the city for compliance with all aspects of this section during regular business hours. From time to time and no less than once per calendar year, the city shall conduct compliance checks during which an underage individual will attempt to purchase lower potency cannabinoid products. Persons engaged in compliance checks shall not use false identification misrepresenting their age and shall respond honestly regarding their age and produce valid identification when asked. Persons engaged in compliance checks shall be over the age of 18 but under the age of 21 and will be supervised by law enforcement or other designated personnel.
- (b) *Responsibility of licensee.* Licensees are responsible for the actions or inactions of their employees in regard to the sale, offer to sell, and furnishing of any lower potency cannabinoid products on the licensed premises. The sale, offer to sell, or any furnishing of any lower potency cannabinoid products on the licensed premises shall be considered an act of the licensee. Nothing in this section shall be construed to prohibit the city from pursuing either civil or criminal penalties against the individual involved in the sale, offer to sell, or furnishing of any lower potency cannabinoid products.
- (c) *Display and storage.* All lower potency cannabinoid products shall be stored behind a counter or other area not accessible to customers except as allowed by state law.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-38. License suspension or revocation; penalties.

- (a) *License suspension or revocation.* The council shall suspend or revoke a license upon a finding that the licensee has failed to comply with any provision of this article or other applicable statute or code provision. For a first such violation, the council shall impose a suspension of the license of not less than two consecutive days. For a second such violation, the council shall impose a suspension of not less than five consecutive days. For a third such violation, the council shall revoke the license.
- (b) *Other penalties.* The council may elect to impose a civil penalty not to exceed \$2,000.00 in addition to or in lieu of suspension or revocation of the license.
- (c) *Opportunity for hearing.* No penalty imposed under this article shall take effect until the licensee has been provided notice of the opportunity for a hearing pursuant to the Administrative Procedures Act, Minn. Stats. §§ 14.57—14.70, as may be amended from time to time. If a hearing is not requested within the time afforded as stated in the notice, the entitlement to a hearing is waived and penalty may be imposed by resolution.
- (d) *Criminal prosecution.* Nothing in this section shall be construed to prohibit the city from seeking prosecution for any alleged violation of this article.

(Ord. No. 23-11, § 1, 7-17-2023)

Sec. 10-39. Preemption.

The provisions of sections 10-31 through 10-39 shall remain in effect unless preempted by state law.

(Ord. No. 23-11, § 1, 7-17-2023)

Secs. 10-40—10-60. Reserved.