

City of Wayzata

600 Rice Street
Wayzata, MN 55391-1734
Licensing: 952-404-5303

**INFORMATION REGARDING THE APPLICATION PROCESS FOR
RETAIL SALES OF EDIBLE CANNABINOID PRODUCTS (LOW-POTENCY)**

City License Application

Completed by the Applicant

Background Investigation Consent Release and Tennesen Warning

Completed by the general manager and every individual who owns or controls an interest in the business greater than 5%

Certificate of Compliance—Minnesota Worker’s Compensation Law

Complete enclosed form

REQUIRED ATTACHMENTS (To be provided by the applicant)

MN Dept of Health Business Registration Form/Provide Copy of Registration

Enclose copy of confirmation that you have registered your business with the MN Dept of Health “Hemp Derived Cannabinoid Products Business Online Registration Form”

<https://www.health.state.mn.us/people/cannabis/edibles/businessinfo.html>

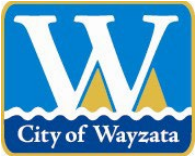
Certificate of Insurance – General Liability

Enclose certificate showing current coverage. This form must be submitted by all applicants. The insurance certificate must be in the exact corporate name of the entity, if the licensee is an entity, or in the individual(s) name if not incorporated. The dates of insurance listed on the certificate must be current.

Check Made Payable to “City of Wayzata”

- License Fee = \$ 450
- Additional Background Investigation Fee = \$100

All forms and fees must be returned to the: City of Wayzata • Kathy Leervig, City Clerk • 600 Rice Street E. • Wayzata, MN 55391. Your application will be reviewed by Wayzata City staff and then will be subject to approval by the Wayzata City Council. After your application has been approved, we will issue a license that must be displayed on the business premises.



600 Rice Street E
 Wayzata, MN 55391
 Licensing: 952-404-5300

FOR OFFICE USE:
Date Pd: _____
Amount Pd: _____
Receipt # _____

Application for Retail Sale of Edible Cannabinoid Products (Low-Potency)

Licenses are valid for one calendar year and shall expire each year on December 31st. Please verify the information on the form and make any necessary changes.

BUSINESS TRADE NAME & INFORMATION (DOING BUSINESS AS)	
Business Trade Name	
Business Address, City State and Zip	
Business Phone Number	
Manager/Contact Phone #	
Email Address	
LICENSEE'S LEGAL NAME AND INFORMATION	
Licensee Legal Name	
Licensee Address City, State and Zip	
Phone Number	
MN Tax ID	
Federal Tax ID	
SSN, if MN or Federal Tax ID not available	
BILLING INFORMATION – LICENSES, NOTICES & RENEWALS SHOULD BE SENT TO	
Company Name	
Attention	
Address, City State and Zip	
Telephone Number	
Email Address	
TYPE OF PRODUCT(S) TO BE SOLD	

Note: Proper signature required: if a corporation owns this establishment, an officer of the corporation must sign below; if a partnership, one of the partners; if an individual, the owner.

I, (WE) THE UNDERSIGNED, HAVE COMPLIED WITH ALL REQUIREMENTS OF THE CITY CODE OF THE CITY OF WAYZATA NECESSARY FOR OBTAINING THIS LICENSE. NOW, THEREFORE, I (WE) HEREBY MAKE APPLICATION TO OPERATE THE ABOVE NAMED ESTABLISHMENT SUBJECT TO ALL CONDITIONS AND PROVISIONS OF THESE ORDINANCES.

Notice Regarding Proposed City Ordinances:
 The City of Wayzata distributes general city information and notices electronically through an electronic notification system. As an applicant for a new business license or for a renewal of an existing business license, you can sign up to receive notices through the city's electronic notification system at the city's website at www.wayzata.org, and click on the Notify Me link. This would include getting notifications of any proposed ordinances at least ten days before the city council of Wayzata conducts a final vote on the proposed ordinance.

Signature	Date	Print Name and Title

DATA PRACTICES ADVISORY TENNESSEN WARNING – PERMITS AND LICENSES

You are being asked to answer questions and provide information pursuant to the license and application process that is required by Minnesota state law and/or the Wayzata City Code. The purpose and intended use of the requested data is to verify that applicants meet the requirements of the state statutes and city code provisions and, if the license or permit is approved, to verify that all required data remains current.

Some of the information you provide on this application is considered private data under the Minnesota Government Data Practices Act (the "Act"). This information will be used by the City and its agents involved in the review of this application. You are not required by state law or City Code to answer questions or provide the information requested. However, a refusal to answer questions or provide the information requested will prevent the City from processing the permit or license for which you are applying.

The following data collected, created, or maintained is classified under the Act as public data once a license has been approved (Minn. Stat. § 13.41, subd. 5):

1. Data submitted by applicants (including name, email, telephone numbers, and addresses).
2. Orders for hearing, findings of fact, conclusions of law, and specification of any final disciplinary action.
3. Entire record concerning any disciplinary proceeding.
4. License numbers and status.

The following data collected, created, or maintained is classified under the Act as private and/or confidential data (Minn. Stat. § 13.41, subd. 2; Minn. Stat. § 13.37, subd. 1):

1. Active investigative data relating to complaints against any license.
2. The identity of complainants who have made reports concerning licenses or applicants which appear in inactive complaint data unless the complainant consents to disclosure.
3. The information related to unsubstantiated complaints when it is not maintained in anticipation of legal action.
4. Inactive investigative data relating to violations of statutes or rules.
5. Record of disciplinary proceedings, except as limited by the provisions above.
6. Trade secrets, as defined under Minnesota law.
7. Sensitive security and safety information.

The City of Wayzata may make any private or confidential data accessible to an appropriate person or agency if the City determines that failure to make the data accessible is likely to create a clear and present danger to public health or safety.

Certification: I have read and certify the information in this application is true and correct. I further understand that the giving of false information in this form and/or the failure to give requested information may be cause for immediate revocation of any and all licenses and/or permits issued hereunder. I understand the above information regarding my rights as a subject of government data and applicant for a license or permit from the City of Wayzata.

Note: Proper signature is required. If a corporation owns this establishment, an officer of the corporation must sign below; if a partnership, the managing partner; if an individual, the owner.

Signature

Date

Print Name

Print Title

Establishment Name (DBA) or Trade Name

Certificate of Compliance

Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

Print in ink or type

Minnesota Statutes § 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

License or certificate number (if applicable)	Business telephone number	Alternate telephone number
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Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code
County	Email address		

You must complete number 1 or 2 below.

Note: You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

1. I have a workers' compensation insurance policy.

Insurance company name (not the insurance agent)

Policy number	Effective date	Expiration date
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I am self-insured for workers' compensation. (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce; see www.mn.gov/commerce/industries/insurance/licensing/self-insurance.)

2. I am not required to have workers' compensation insurance because:

- I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)
- I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)
- I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)
- I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

Explain why your employees are not required to be covered

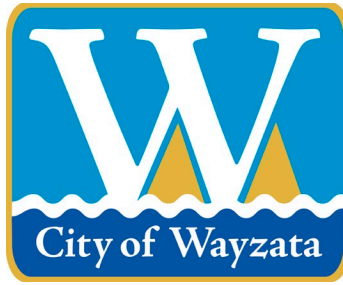
I certify the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify I am authorized to sign on behalf of the business.

Print name

Applicant signature (required)

Date

If you have questions about completing this form or to request this form in Braille, large print or audio, call (651) 284-5032 or 1-800-342-5354.



City Council
Mayor Johanna Mouton
Cathy Iverson
Molly MacDonald
Jeffrey Parkhill
Alex Plechash

City Manager
Jeffrey Dahl

AUTHORIZATION / RELEASE FORM

The City of Wayzata has a significant interest in protecting the general public during the performance of government services. State and local laws require the city to perform background checks as a part of this application.

I hereby authorize the City of Wayzata and its agents to secure any and all information they may require about me, including record checks with the Minnesota Bureau of Criminal Apprehension, Minnesota State Liquor Commission, and any other source of information deemed relevant to this application.

This information is subject to the Minnesota Data Privacy Act and for the express purpose of determining my eligibility for a liquor license under authority of Minnesota State Statutes. This authority to release information is irrevocable.

NAME

(Last) (First) (Full Middle)

Date of Birth

Signature

Date

WAYZATA POLICE DEPARTMENT BACKGROUND CHECK

PLEASE PRINT AND FULLY COMPLETE ALL INFORMATION

LAST NAME		FIRST NAME		MIDDLE NAME	
STREET ADDRESS			CITY	STATE	ZIP
HOME PHONE (INCLUDE AREA CODE)	WORK PHONE (INCLUDE AREA CODE)	DRIVER LICENSE NUMBER		STATE THAT ISSUED DRIVERS LICENSE	
MAIDEN NAME & ALIASES (OTHER NAMES YOU ARE KNOWN BY:	DATE OF BIRTH		PLACE OF BIRTH		
CURRENT EMPLOYER (INCLUDE ADDRESS)			SOCIAL SECURITY NUMBER		

Residences:

List your former home addresses for the past ten years

ADDRESS	FROM:	Month	Year
	TO:	Month	Year
ADDRESS	FROM:	Month	Year
	TO:	Month	Year
ADDRESS	FROM:	Month	Year
	TO:	Month	Year

Reason For Request:

Retail Sale of Edible Cannabinoid Product License Request <input checked="" type="checkbox"/>
Business Establishment Name:
Position Held at this Establishment:

List current and past licenses held for the past ten years

Use additional sheet of paper if necessary.

Your signature below affirms the information you have provided is true and complete.

Signature _____ Date _____

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 828
AN ORDINANCE REGULATING
THE SALE OF EDIBLE CANNABINOID PRODUCTS

PREAMBLE

On August 3, 2022, pursuant to Minnesota Statutes Sec. 462.355, subd. 4 and the Wayzata City Charter, the Wayzata City Council adopted an Interim Ordinance imposing a one-year moratorium on the manufacture, distribution, and/or sale of edible cannabinoid products derived from hemp, and the construction, development, or operation of a business or facility involving any activity related to the foregoing. The ordinance also authorized City staff to study, review and consider the impacts and potential regulation of such activities, and propose any necessary and appropriate changes to the City's policies, ordinances, and official controls. In accordance with such study and review, City staff has proposed and recommended the provisions of this ordinance as appropriate for the general health, safety and welfare of the City.

NOW THEREFORE, THE CITY OF WAYZATA ORDAINS:

Section 1. Definitions.

- A. "Edible cannabinoid product" has the meaning provided in Minn. Stat. § 151.72, Subd. 1(c): a cannabinoid product that is intended to be eaten or consumed as a beverage by humans, containing a cannabinoid in combination with food ingredients, and is not a drug. Edible cannabinoid product does not include medical cannabis, as defined in Minn. Stat. §152.22, subd. 6, or nonintoxicating cannabinoid, as defined in Minn. Stat. § 151.72, subd. 1(h).
- B. "Labeling" has the meaning provided in Minn. Stat. § 151.72, Subd. 1(f).
- C. "Movable place of business" means any form of business that is operated out of a kiosk, other transportable structure or shelter, or a motorized or nonmotorized vehicle.
- D. "Retail Establishment" means any place of business where edible cannabinoid products are or may be available for sale to the general public, including, but not

limited to, grocery stores, tobacco products shops, CBD stores, convenience stores, gasoline service stations, liquor stores, bars, and restaurants.

- E. "Vending machine" means any mechanical, electrical or electronic, or other type of device which, upon the insertion of money, tokens, or other form of payment into or onto the device, dispenses edible cannabinoid products, and includes vending machines equipped with manual, electric or electronic locking devices.

Section 2. Registration Required.

No person may keep for sale, sell or offer to sell, or otherwise dispose of any edible cannabinoid product at any place in the City without first registering with the City in accordance with this ordinance.

Section 3. Persons Ineligible.

No registration will be issued under this ordinance to:

- A. A person under twenty-one (21) years of age.
- B. A person who is prohibited by federal, state, or other local law, ordinance, or other regulation from selling edible cannabinoid products.
- C. A person who is not the real party in interest or beneficial owner of the business operated under the registration.
- D. A person who has had a direct or indirect interest in a registration or license that was suspended or revoked within the five (5) years preceding the application; provided that the applicant or related person had an interest in the premises at the time of the revocation or suspension, or at the time of the violation that led to the revocation or suspension. For purposes of this subdivision: (a) the registration or license must have been for the manufacture or sale of any product containing THC or a nonintoxicating cannabinoid or for the sale of a tobacco product, issued by the city or another jurisdiction; (b) a related person includes any person investing in the business, building, premises, fixtures, furniture or equipment of the proposed registration; (c) the applicant or related person may have held their interest in the registration or license as an individual or as part of a separate entity or joint venture.

Section 4. Places Eligible Registration.

A registration may be issued for places on which retail establishments, as defined in this Ordinance, lawfully operate. A registration may not be issued for a movable place of business.

Section 5. Registration Application Procedure.

- A. Fees. Applications for registration under this ordinance must be accompanied by payment of fees established by city resolution to cover the city's costs in processing the application, the investigation and administering the provisions of this ordinance. The application fee is nonrefundable. If the applicant holds a liquor license or massage license, no charge will be made for a registration under this ordinance. If the applicant holds a tobacco license, the only fee charged will be a fee to cover the cost of the background investigation required by this ordinance.
- B. Manager or Agent. If the applicant is an entity, the application must include the name of the natural person who will serve as the manager or agent of the registered premises. Such manager or agent must, by the terms of their written consent, (1) take full responsibility for the conduct of the registered premises, and (2) serve as agent for service of notices and other process relating to the registration. The manager or agent must reside within 75 miles of the city. The required residency must be established by the time the registration is issued and must be maintained throughout the existence of the registration and all renewals. The time for establishing residency may be extended, for good cause, by the city council. A registration must notify the city in writing within 15 days of any change in such manager or agent indicating the name and address of the new manager or agent and the effective date of such change.
- C. Investigation. The city is empowered to conduct any and all investigations to verify the information on applications and renewal applications submitted under this ordinance, including but not limited to ordering a criminal history check pursuant to Minn. Stat. § 299C.72 and conducting an inspection of any premises

proposed to be registered. The city must conduct a background check on all new applications. The investigation shall consider all facts and information bearing on the question of the applicant's fitness to receive the registration and to perform the duties imposed by this ordinance. The city may conduct a background check on an application for a renewal of a registration if it is in the public interest to do so. Failure of an applicant to allow an inspection is grounds for denial of the registration. The results of any investigation must be submitted to the city council.

D. Registration decision. The city council may grant or deny an application for registration or renewal based on the following:

1. The applicant or premises fails to meet the eligibility requirements of this ordinance, including all facts and information bearing on the question of the applicant's fitness to receive the registration and to perform the duties imposed by this ordinance.
2. The applicant fails to provide information required by the application or provides false or misleading information.

Section 7. Registration Restrictions.

A. Legal age. A person may not sell, offer to sell, give away, or otherwise furnish any edible cannabinoid product to any person below the age of 21 years.

Retail Establishments registered under this ordinance must:

1. Age verification. Verify by means of government-issued photographic identification that the purchaser is at least 21 years of age.
2. Signage. Post notice of the legal sales age and age verification requirement prominently and in plain view at all times at each location where edible cannabinoid products are offered for sale. The required signage must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

B. Sale, display and storage.

1. A Retail Establishment registered under this ordinance may sell edible cannabinoid products only in a direct face-to-face exchange an employee and the customer.

2. The sale or other distribution any edible cannabinoid product through the use of a vending machine or similar automated dispensing device or by means of delivery is prohibited.
 3. All edible cannabinoid products must be stored either behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public.
 4. No person under twenty-one (21) years of age may sell, give, or otherwise furnish edible cannabinoid products at an exclusive tobacco store. No person under eighteen (18) years of age may sell, give, or otherwise furnish edible cannabinoid products at any other establishment registered under this ordinance.
 5. A person may not distribute samples of any edible cannabinoid product free of charge or at a nominal cost.
 6. A person may not sell, offer to sell, give away, distribute or display any edible cannabinoid products outside the location or area covered by a registration.
 7. A person may not sell, offer to sell, give away, distribute or display any edible cannabinoid product that does not comply with the requirements of Minn. Stat. § 151.72, including but not limited to the packaging, labeling and other requirements provided by that section.
 8. A person may not sell, or offer to sell, give away, distribute or display edible cannabinoid products in a manner that violates federal or state law.
- C. Responsibility. Retail Establishments registered under this ordinance are responsible for the conduct of their place of business and the conditions of order in it. The act of an employee of the Retail Establishments registered under this ordinance is deemed the act of the Retail Establishments registered under this ordinance as well, and the Retail Establishments registered under this ordinance are liable for all penalties provided by this ordinance equally with the employee.
- D. Compliance checks. From time to time, but at least once per year, the city shall conduct compliance checks of Retail Establishments registered under

this ordinance in accordance with state law.. Nothing in this section shall prohibit compliance checks authorized by state or federal laws for educational, research, or training purposes, or required for the enforcement of a particular state or federal law.

E. Violations and penalties.

1. Violations: administrative penalties. Any person violating a provision of this ordinance may be subject to the administrative enforcement program contained in section 105 of city code.

2. Violations; other penalties.

a. Retail Establishments registered under this ordinance. Any Retail Establishments registered under this ordinance who has violated this ordinance, or whose employee has violated this section, will be charged an administrative fine of at least \$300.00 for a first violation; at least \$600.00 for a second offense at the same location within 36 months after the initial violation; and at least \$1,000.00 for a third or subsequent offense at the same location within 36 months after the initial violation. In addition, for the third offense, the registration will be suspended for not less than seven days and may be revoked.

b. Other Adults. Other adults who have violated this ordinance will be charged an administrative fine of at least \$150.00.

d. Judicial Review. Any person aggrieved by a decision under this ordinance may have the decision reviewed in the district court in the same manner and procedure as provided in Minn. Stat. § 462.361.

F. Every person who commits or attempts to commit, conspires to commit or aids or abets in the commission of any act constituting a violation of this ordinance, is guilty of a misdemeanor and every person who causes, coerces, permits or directs another to violate any of the provisions of this ordinance is likewise guilty of a misdemeanor.

Section 8. Effective Date. This Ordinance will become effective upon passage and publication.

Adopted by the City Council this 8th day of August, 2023.

Johanna Mouton, Mayor

ATTEST:

Jeffrey Dahl, City Manager

First Reading: August 8, 2023
Second Reading: September 6, 2023
Publication: September 14, 2023