

INTERIM ORDINANCE NO.:

AN INTERIM ZONING ORDINANCE INSTITUTING AN EMERGENCY MORATORIUM ON CANNABIS

Whereas, Beltrami County does not have a Zoning Ordinance with standards for the regulation of the cannabis industry; and

Whereas, the Beltrami County Board of Commissioners has reviewed the recent Minnesota Statutes with respect to cannabis industry regulations necessary to protect public health, safety, and general welfare; and

Whereas, pursuant to Minnesota Statute § 394.34, the Beltrami County Board of Commissioners deems it necessary to adopt an Interim Ordinance placing a moratorium on the location, establishment, and finalization of new and pending cannabis industry locations and uses until January 1, 2025 to permit the planning process to take place and to allow County staff, the Planning Commission, and the County Board sufficient time to proceed in an orderly fashion to make any necessary changes, modifications, and updates to the County's Official Controls.

Whereas, an emergency situation exists and a temporary emergency moratorium is necessary to protect public health, safety, and general welfare until public hearings can be conducted on a longer-term ordinance; and

Whereas, the Beltrami County Board of Commissioners finds:

1. A temporary emergency zoning ordinance instituting a moratorium prohibiting new or pending cannabis industry locations and uses is necessary in order to hold discussions and hearings to determine whether a longer-term zoning ordinance shall be adopted and implemented, to protect the public health, safety, and general welfare of the residents of Beltrami County.
2. An emergency exists because, based on the recent Minnesota Statutory law changes as well the comments received from the community, the townships, and the cities, Beltrami County Zoning Ordinances do not afford the protection needed to ensure that the residents of Beltrami County are not adversely affected.
3. It is in the interests of public health, safety, and the general welfare to impose a temporary moratorium until a public hearing can be noticed and a permanent ordinance can be published pursuant to Minn. Stat. § 375.51.

NOW, THEREFORE, the Beltrami County Board of Commissioners Hereby Ordains:

Section 1. Temporary Restrictions on Cannabis Industry Zoning and Permitting. Until January 1, 2025, or until such earlier time as the Beltrami County Board of Commissioners determines by resolution that the reasons for the interim ordinance no longer exist, no new or pending applications for zoning, rezoning, or land use

permit (including, without limitation, permitted, interim, or conditional use permits) for any cannabis industry-related use shall be accepted, processed or approved by the County.

- Section 2. Definitions and Application. The term “Cannabis Industry” means every item, product, person, process, action, business, or other thing related to cannabis flower and cannabis products and subject to regulation under this chapter.
- Section 3. Enforcement. Beltrami County may enforce any provision of this Ordinance by any and all means authorized by Beltrami County Ordinances and State Statutes.
- Section 4. Effective Date. This Ordinance shall take effect on the date of its passage and shall be in effect until January 1, 2025, unless earlier terminated by the Beltrami County Board of Commissioners.
- Section 5. Severability. 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.