

ORDINANCE NO. 32, EIGHTH SERIES

**AN ORDINANCE OF THE CITY OF FERGUS
FALLS, MINNESOTA, AMENDING CHAPTER
154.002 DEFINITIONS, CHAPTER 154.038 B-3,
GENERAL BUSINESS DISTRICT AND CHAPTER
154.041, I-1, PLANNED INDUSTRIAL DISTRICT OF
THE CITY CODE.**

THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. City Code Chapter 154.002, Definitions, Hemp-Derived Tetrahydrocannabinol (THC) Edibles and Beverages, is hereby added to read as follows:

HEMP-DERIVED TETRAHYDROCANNABINOL (THC) EDIBLES AND BEVERAGES. Any product that is intended to be eaten or consumed as a beverage by humans and contains THC in combination with food ingredients.

Section 2. City Code Chapter 154.002, Definitions, Hemp Processing or Manufacturing, is hereby added to read as follows:

HEMP PROCESSING OR MANUFACTURING. "Processing" means rendering by refinement hemp plants or hemp plant parts from their natural or original state after harvest. Processing includes but is not limited to decortication, devitalization, chopping, crushing, extraction, combining cannabinoid(s) with food ingredients, and packaging. Processing does not include typical farm operations such as sorting, grading, baling, and harvesting.

Section 3. City Code Chapter 154.002, Definitions, Hemp or Industrial Hemp, is hereby added to read as follows:

HEMP OR INDUSTRIAL HEMP. "Industrial hemp" means the plant *Cannabis sativa L.* and any part of the plant, whether growing or not, including the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis. Industrial hemp is not marijuana as defined in Minnesota Statutes section 152.01, subdivision 9.

Section 4. City Code Chapter 154.038 B-3, General Business District, (B), is amended by adding the following permitted use:

(76) Retail establishments selling THC edibles and beverages

Section 5. City Code Chapter 154.038 B-3, General Business District, (C), is amended by adding the following use by conditional use permit:

(7) Hemp processing or manufacturing.

Section 6. City Code Chapter 154.041 I-1, Planned Industrial District, (B), is amended by adding the following permitted use:

(21) Hemp processing or manufacturing;

(22) Uses permitted or conditionally permitted in the B-3 zone, unless regulated differently elsewhere in this chapter.

Section 7. Effective date. The effective date of this ordinance shall be the 11th day of November, 2022.

THIS ORDINANCE was introduced on the 7th day of November, 2022, and adopted by the City Council of the City of Fergus Falls, Minnesota, on the 21st day of November, 2022, by the following vote:

AYES: Hagberg, Kvamme, Arneson, Thompson, Gustafson, Hicks, Fish
NAYS: None
ABSENT: Rufer

ATTEST:

APPROVED:

Andrew Bremseth
City Administrator

Ben Schierer
Mayor

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