



Swift County Scanning Label Doc #8881  
Receipt #123984



Swift County Scanning Label Doc #259932  
Receipt #123983

**Office of Registrar of Titles in Swift County, MN**

I hereby certify that the within instrument was filed in  
this office on February 3, 2025 at 11:10 AM Rec Fee \$46.00  
Pages: 15 Doc #8881 Bk of Titles Pg

Carla Roberts, Reg of Titles Cert. No.

By Beth Colifson Deputy

**Office of Land Records in Swift County, MN**

I hereby certify that the within instrument was filed in  
this office on February 3, 2025 at 11:10 AM Doc# 259932  
Pages: 15 Rec Fee \$46.00

Carla Roberts, Department Head

By Beth Colifson Deputy

# Ordinance 2024-01

## SWIFT COUNTY ORDINANCE

### Cannabis Oriented Business and Land Use Ordinance

**The Swift County Board of Commissioners  
hereby ordains:**

## Table of Contents

Section 1: Administration.....	3
Section 2: Registration of Cannabis Business.....	5
Section 3: Requirements for Cannabis Businesses .....	9
Section 4: Temporary Cannabis Events.....	12
Section 5: Lower-Potency Hemp Edibles .....	13
Section 6: Local Government as a Cannabis Retailer.....	14
Section 7: Administrative review of Suspected Violations .....	14
Section 8: Administrative and Other Penalties .....	14
Section 9: Use in Public Places.....	15
Section 10: Effective Date.....	15

## Section 1: Administration

### **Subdivision 1- Findings and Purpose**

Swift County adopts the following legislative findings:

- a. The purpose of this ordinance is to implement the provisions of Minnesota Statutes, Chapter 342, which authorizes the County to protect the public health, safety, welfare of Swift County residents by regulating cannabis businesses within the legal boundaries of Swift County.
- b. Swift County finds and concludes that the proposed provisions are appropriate and lawful land use regulations for Swift County, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

### **Subdivision 2- Authority & Jurisdiction**

- a. Swift County has the authority to adopt this ordinance pursuant to:
    1. Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.
    2. Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
    3. Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
    4. Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.
  - b. For Swift County jurisdictions that wish to opt into county zoning for cannabis regulation, Swift County will be the registration authority for those jurisdictions by the following procedure.
  - c. Jurisdiction Opt-in: The jurisdiction of this Ordinance shall apply to any township or incorporated city that has passed a resolution to "opt in," to County administered zoning for cannabis regulation through the following procedure:
    1. Township or city submits letter of interest to the Zoning Administrator.
    2. Zoning Administrator will provide the township or city a standardized Opt-in
    3. Resolution.
    4. Township or city will submit the adopted Opt-in Resolution to the Zoning Administrator.
  - d. For Swift County townships or incorporated cities that have not opted into county zoning, those jurisdictions may request that Swift County be the registration authority only through the following procedure:
-

1. The jurisdiction submits a letter of interest and copy of the jurisdiction's cannabis-related zoning ordinances or regulations to the Swift County Planning and Zoning Director.
2. The Swift County Planning and Zoning Director and Auditor shall review the letter and the jurisdiction's submitted ordinances and regulations.
3. If the Swift County Auditor agrees to be the registration authority for the jurisdiction, the jurisdiction shall provide Swift County with a board resolution showing delegation of registration authority to the County.
4. The jurisdiction must agree to indemnify Swift County, including all costs and attorney's fees, in the event any legal action arising from the interpretation and application of the jurisdiction's cannabis-related zoning ordinances or regulations, of the jurisdiction's officer's or employee's negligence with respect to the application of the jurisdiction's zoning ordinances or regulations concerning cannabis.
5. Once the above Requirements are completed, Swift County Auditor will provide registration for cannabis licensed businesses.

#### **Subdivision 3- Severability**

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

#### **Subdivision 4- Enforcement**

The Swift County Auditor, Swift County Environmental Services Director and Countryside Public Health are responsible for the administration and enforcement of this ordinance. Violations of this ordinance can occur regardless of whether a permit is required for a regulated activity listed in this ordinance.

#### **Subdivision 5- Definitions**

Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.

- a. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant; harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
- b. Cannabis Manufacturer: Manufacturers may manufacture cannabis products and hemp products, and package such products, and package such products for sale to a licensed cannabis retailer.
- c. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement,

medical combination businesses operating a retail location, and lower-potency hemp edible retailers.

- d. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
- e. Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
- f. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
- g. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
- h. Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
- i. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17
- j. Public Place: A public park or trail, public street, or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.
- k. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
- l. Retail Registration: An approved registration issued by Swift County to a state licensed cannabis retail business.
- m. School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
- n. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.
- o. Temporary Cannabis Event: Events described in Minn. Stat. 342.39 and 342.40, held by an individual or business with a cannabis event organizer license granted by the Office of Cannabis Management.

## Section 2: Registration of Cannabis Business

### **Subdivision 1- Consent to registering of Cannabis Business**

- a. No individual or entity may operate a state-licensed cannabis retail business within Swift County without first registering with the Swift County Auditor's Office.
- b. Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registrations the first violation shall incur from Swift County Board of Commissioners a

civil penalty of \$500. For subsequent violations, the Swift County Board of Commissioners shall impose a penalty of \$2,000.

- c. Notwithstanding the foregoing provisions, the State shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

**Subdivision 2- Compliance Checks Prior to Retail Registration**

- a. Prior to issuance of a cannabis retail business registration, The Swift County Auditor and the Swift County Environmental Services Director shall conduct a preliminary compliance check to ensure compliance with local ordinances.
- b. Pursuant to Minn. Stat. 342.13(f), within 30 days of receiving a copy of a state license application from OCM, Swift County shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

**Subdivision 3- Registration & Application Procedure**

**a. Fees**

- 1. Swift County shall not charge an application fee.
- 2. A registration fee as established in Swift County's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.
- 3. An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.
- 4. Any renewal retail registration fee imposed by Swift County shall be charged at the time of the second renewal and each subsequent renewal thereafter.
- 5. A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.
- 6. A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

**b. Application Submittal**

The Swift County Auditor shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

- 1. An applicant for a retail registration shall fill out an application form, as provided by Swift County's Auditor's Office. Said form shall include, but is not limited to:
  - i. Full name of the property owner and applicant.
  - ii. Address, email address, and telephone number of the applicant.
  - iii. The address and parcel ID for the property which the retail registration is sought.

- iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
    - v. If applicable, the business is current on all property taxes and assessments on the proposed retail establishment.
  2. The applicant shall include with the form:
    - i. The application fee.
    - ii. A copy of a valid state license or written notice of OCM license preapproval.
  3. Applications must be submitted in person to the Swift County Auditor's Office. Once an application is considered complete, the Swift County Auditor's Office shall inform the applicant as such, process the application fees, and approve or deny the application.
  4. The application fee shall be non-refundable once processed.

**c. Application approval**

1. A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 2: Registration of Cannabis Business, Subdivision 6.
2. A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
3. A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

**d. Denial of License**

Any one or more of the following shall be grounds for denying the issuance or renewal of a license under this Ordinance:

1. The applicant is under the age of 21 years.
2. The applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to licensed products.
3. The applicant has had a license for any products and/or activities defined in Section 1: Administration, Subdivision 5. a.-d. suspended or revoked within the preceding twelve months of the date of application.
4. The applicant fails to provide any information required on the application, or provides false or misleading information.
5. The applicant is prohibited by federal, state, or other local law, ordinance, or other regulation from holding such a license.
6. The applicant seeks a license for a retail establishment that does not follow minimum buffer requirements defined in Section 3: Requirements for Cannabis Businesses, Subdivision 1.
7. The applicant seeks licensure for a moveable place of business.

8. The existence of any particular ground for denial is sufficient for denial of licensure. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this section.

**e. Right to Administrative Review**

1. An applicant whose application for license was denied shall have the right to request review. Upon receipt of the County Board's decision, the applicant shall request a review within ten (10) days of receipt of the decision. The review hearing shall be heard at the next regularly scheduled meeting of the County Board, and the applicant shall be allowed to present information to the County Board regarding its license application and the basis for denial. The County Board shall receive the information at its public meeting and shall make a decision regarding issuance of the license. If the County Board denies the license, it must detail why the license was denied.

**f. Annual Compliance Checks**

1. The Countryside Public Health Office shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under Minn Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24 and this Ordinance.
2. The Countryside Public Health Office shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.
3. Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government, or the local public health authority.
4. Any failures under this section must be reported to the Office of Cannabis Management.

**g. Location Change**

1. A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2: Registration of Cannabis Business, Subdivision 3 if it seeks to move to a new location still within the legal boundaries of Swift County.

**Subdivision 4- Renewal of Registration**

1. The Swift County Auditor's Office shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.
2. A State-licensed cannabis retail business shall apply to renew registration on a form established by the Swift County Auditor's Office.
3. A cannabis retail registration issued under this ordinance shall not be transferred.

**a. Renewal Fees**

1. Swift County may charge a renewal fee for the registration starting at the second renewal, as established in Swift County's fee schedule.

**b. Renewal Application**

1. The application for renewal of a retail registration shall include, but is not limited to:
  - i. Items required under Section 2: Registration of Cannabis Business, Subdivision 3 of this Ordinance

**Subdivision 5- Suspension of Registration**

**a. When Suspension is Warranted**

1. If Swift County determines that a cannabis retail business is not operating in compliance with applicable law (this ordinance or Minn. Stat., Chapter 342) or that the operation of the business poses an immediate threat to the health or safety of the public, Swift County may suspend the retail registration of the cannabis retail business. Swift County shall immediately notify the cannabis retail business in writing the grounds for the suspension.
2. Swift County Auditor shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide Swift County and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

**b. Length of Suspension**

1. The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.
2. Swift County Auditor may reinstate registration if it determines that the violations have been resolved.
3. Swift County Auditor shall reinstate a registration if OCM determines that the violation(s) have been resolved.

**c. Civil Penalties**

1. Subject to Minn. Stat. 342.22, subd. 5(e) Swift County may impose a civil penalty, as specified in the Swift County's Fee Schedule, for registration violations, not to exceed \$2,000.

**Subdivision 6- Limiting of Registrations**

1. The Swift County Board of Commissioners shall limit the number of cannabis retail businesses to no more than five (5) registrations for every 12,500 residents within Swift County.

**Section 3: Requirements for Cannabis Businesses**

**Subdivision 1- Minimum Buffer Requirements**

- a. Swift County shall prohibit the operation of a cannabis business within 500 feet of a school (as measured by the business property line to the school property line).

- b. Swift County shall prohibit the operation of a cannabis business within 500 feet of a daycare (as measured by the business property line to the daycare property line).
- c. Swift County shall prohibit the operation of a cannabis business within 500 feet of a Residential Treatment Facility (as measured by the business property line to the Residential Treatment Facility property line).
- d. Swift County shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors including but not limited to a playground, swimming pool, or athletic field (as measured by the business building to the attraction).
- e. Nothing in Section 3: Requirement for Cannabis Business, Subdivision 1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors, moves within the minimum buffer zone.

**Subdivision 2- Zoning and Land Use**

**a. Cultivation**

Cannabis business licensed or endorsed for cultivation are permitted as a permitted use in the following zoning districts:

- 1. Agricultural Preservation District 1.
  - i. Minimum 10 acre
  - ii. Maximum 160 acres
- 2. Agricultural Preservation District 2.
  - i. Minimum 10 acre
  - ii. Maximum 160 acres

**b. Cannabis Manufacturer**

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a Conditional Use in the following zoning districts:

- 1. Urban Development District

**c. Hemp Manufacturer**

Business licensed or endorsed for low-potency hemp edible manufacturers permitted as a Conditional Use in the following zoning districts:

- 1. Agricultural Preservation District 1.
- 2. Agricultural Preservation District 2.
- 3. Urban Development District.

**d. Wholesale**

Cannabis businesses licensed or endorsed for wholesale are permitted as a Conditional Use in the following zoning districts:

- 1. Agricultural Preservation District 1.
- 2. Agricultural Preservation District 2.

3. Urban Development District.

**e. Cannabis Retail**

Cannabis businesses licensed or endorsed for retail are permitted as a Conditional Use in the following zoning districts:

1. Agricultural Preservation District 1.
2. Agricultural Preservation District 2.
3. Urban Development District.

**f. Cannabis Transportation**

Cannabis businesses licensed or endorsed for transportation are permitted as a Conditional Use in the following zoning districts:

1. Agricultural Preservation District 1.
2. Agricultural Preservation District 2.
3. Urban Development District.

**g. Cannabis Delivery**

Cannabis businesses licensed or endorsed for delivery are permitted as a Conditional Use in the following zoning districts:

1. Agricultural Preservation District 1.
2. Agricultural Preservation District 2.
3. Urban Development District.

**Subdivision 3- Hours of Operation**

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 10 a.m. and 9 p.m. Monday through Sunday.

**Subdivision 4 – Performance Standards**

**a. Odor**

Offensive odors outside of property boundaries will not be allowed. Permit holders must follow MN Statutes 342.23 subd 4.

**b. Sewage**

Discharge water from hemp and/or cannabis shall not be discharged into private sewer systems.

**c. Setbacks**

See Section 3: Requirement for Cannabis Business, Subdivision 1 for buffer requirements.

Underlying zoning district setbacks shall dictate property line setbacks in addition to any setbacks in Subdivision 3.

**d. Minimum Lot Size**

**1. Retail Sites**

- i. Retail establishment shall not be in temporary/portable or easily moved structure.
-

- ii. Retail establishment shall have footings or slab under building and integral to the design. Buildings/Structures will not be allowed to be set on concrete slab and must be anchored into the concrete.
  - iii. Minimum roadway frontage for retail establishments shall be 20 feet.
- e. Security**
- 1. Fencing
    - i. Security Fence, minimum 8', will be required at all facilities other than retail sites where cannabis or hemp products are stored, processed, or handled.
  - 2. Cameras
    - i. A camera system shall be installed at all businesses where cannabis or hemp is being stored for more than 4 hours at a time. Camera system shall be made available to law enforcement within 24 hours of being requested. Camera recorder must be capable of saving recordings for a minimum of 7 days consecutively.
  - 3. Lighting
    - i. Exterior lighting shall be required at all facilities to make facility safe. Lighting plans shall be prepared for Conditional Use Permit hearings.

## Section 4: Temporary Cannabis Events

### **Subdivision 4- License or Permit Required for Temporary Cannabis Events**

#### **a. License Required**

A license or permit is required to be issued and approved by Swift County prior to holding a Temporary Cannabis Event.

#### **b. Registration & Application Procedure**

A registration fee, as established in Swift County's Fee Schedule, shall be charged to applicants for Temporary Cannabis Events.

#### **c. Application Submittal & Review**

The Swift County Auditor's Office shall require an application for temporary cannabis events.

- 1. An applicant for a retail registration shall fill out an application form, as provided by the Swift County Auditor's Office. Said form shall include, but is not limited to:
  - i. Full name of property owner and applicant.
  - ii. Address, email address, and telephone number of the applicant.
- 2. The applicant shall include with the form:
  - i. The application fee, see Section 2: Registration of Cannabis Business, Subdivision 3.
  - ii. A copy of the OCM cannabis event license application, submitted pursuant to Minn. Stat. 342.39 Subdivision. 2.

3. The application shall be submitted to the Swift County Auditor's Office for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.
4. Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and approve or deny the application.
5. The application fee shall be non-refundable once processed.
6. A request for a temporary cannabis event that meets the requirements of this Section shall be approved.
7. A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The County shall notify the applicant of the standards not met and basis for denial.

## Section 5: Lower-Potency Hemp Edibles

### **Subdivision 1- Sale of Low-Potency Hemp Edibles**

The sale of low-potency edibles is permitted, subject to the conditions within this section.

### **Subdivision 2- Zoning Districts**

Low-Potency Edibles businesses are permitted as a Permitted use in the following zoning districts:

- a. Retail Sites
  1. Retail establishment shall not be in temporary/portable or easily moved structure.
  2. Retail establishment shall have footings or slab under building and integral to the design. Buildings/Structures will not be allowed to be set on concrete slab and must be anchored into the concrete.
  3. Minimum roadway frontage for retail establishments shall be 20 feet.

### **Subdivision 3- Additional Standards**

#### **a. Sales within a Municipal Liquor Store**

The sale of low-potency edibles is permitted in a municipal liquor store

#### **b. Age Requirements**

The sale of low-potency edibles is permitted only in places that admit persons 21 years of age or older.

#### **c. Beverages**

The sale of low-potency hemp beverages is permitted in places that meet requirements of this section.

#### **d. Storage of Product**

low-potency edibles shall be sold behind a counter and stored in a locked case.

## Section 6: Local Government as a Cannabis Retailer

- a. Swift County may establish, own, and operate a municipal cannabis retail business subject to the restrictions in this chapter.
- b. The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under Section 2: Registration of Cannabis Business, Subdivision 3.
- c. County shall be subject to all the same rental license requirements and procedures applicable to all other applicants.

## Section 7: Administrative review of Suspected Violations

### a. **Notice**

Upon discovery of a suspected violation, the Swift County Auditor shall issue the alleged violator, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of his or her right to be heard on the accusation. The citation shall be issued within ten (10) business days of the suspected violation and shall provide notice that a hearing must be requested within ten (10) business days of receipt of the citation. A copy of the citation shall be sent to the Swift County Attorney's office for record keeping and for review of additional charging.

### b. **Hearings**

If a person accused of violating this Ordinance so requests, a hearing shall be scheduled the time and place of which shall be published and provided to the accused violator.

### c. **Hearing Officer**

The Swift County Board or its designee shall serve as the hearing officer.

### d. **Decision**

If the hearing officer determines that a violation of this Ordinance did occur, that decision along with the hearing officer's reasons for finding a violation and the penalty to be imposed under Section 7 of this Ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred, or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.

### e. **Appeals**

Appeals of any decision made by the hearing officer shall be filed in the district court for the jurisdiction of the county in which the alleged violation occurred.

### f. **Continued Violation**

Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

## Section 8: Administrative and Other Penalties

### a. **Licensees**

1. Any licensee found to have violated this Ordinance, or whose employee shall have

violated this Ordinance, shall be charged an administrative fee (per Swift County Fee Schedule) as follows pursuant to the notice requirements of Section 7.

2. Upon a third or any subsequent violation, the license shall be suspended for not less than sixty (60) days and may be revoked. A subsequent offense ("Second," "Third") is an offense that occurs at the same licensed premises within a 36-month period following the preceding offense.

**b. Instructional Program for licensees**

Any licensee who has violated this ordinance and all of that licensee's employees shall complete a training program on the legal requirements related to the sale of licensed products and the possible consequences of license violations. Any training program must be pre-approved by the County Board. Licensees must provide documentation of compliance with this requirement to the County within 30 days of notice of violation.

**c. Persons under the age of 21 - Alternative Penalties for Use of False Identification**

The County Board shall consult with interested persons, as applicable, including but not limited to educators, parents, guardians, persons under the age of 21 years, and representatives of the court system to develop alternative penalties for persons under the age of 21 years who purchase, or attempt to purchase, cannabis flower, cannabis products, lower-potency, hemp edibles, or hemp-derived products using a driver's license, permit, Minnesota identification card, or any other type of false identification to misrepresent the person's age. Alternative civil penalties shall not include fines or monetary penalties.

**d. Administrative Penalty for Sales and Furnishing**

An individual who sells, gives or otherwise cannabis flower, cannabis products, lower-potency, hemp edibles, or hemp-derived products to a person under the age of 21 years may be charged an administrative penalty of \$50.00, which may only be imposed following all notice and other requirements of Section 7.

## Section 9: Use in Public Places

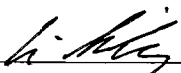
No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment, or an event licensed to permit on-site consumption of adult-use.

Reference Swift County Ordinance 2023-02 Regulating the use of Cannabis derived products in public places.

## Section 10: Effective Date

This ordinance shall be in full force and effect from and after its passage and publications as required by law.

ADOPTED by the Swift County Board of Commissioner this 7<sup>th</sup> day of January, 2025.

  
\_\_\_\_\_  
Eric Rudningen, Swift County Board Chair

Attest:   
\_\_\_\_\_  
Tesa Tomaschett, Swift County Administrator