

**City of Roseville  
ORDINANCE NO. 1683**

**AN ORDINANCE AMENDING**

**TITLE 3, CHAPTER 319**

**AN ORDINANCE ESTABLISHING TITLE 3 CHAPTER 319 TO REGULATE  
TEMPORARY CANNABIS EVENTS**

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title 3, Chapter 319 of the Roseville City Code is established to read as follows:

**CHAPTER 319**

**TEMPORARY CANNABIS EVENT REGULATIONS**

SECTION:

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**319.01        PURPOSE AND FINDINGS.**

The City of Roseville makes the following legislative findings: The purpose of this ordinance is to protect the public health, safety, welfare in the City by implementing regulations pursuant to Minnesota Statutes, Chapter 342 related to temporary cannabis events within the City. The City finds and concludes that these regulations are appropriate and lawful, that the proposed amendments will promote the community's interest in reasonable stability in the development and redevelopment of the City for now and in the future, and that the regulations are in the public interest and for the public good.

**319.02        DEFINITIONS.**

**CANNABINOID PRODUCT.** A cannabis product, a hemp derived consumer product, or a lower-potency hemp edible as defined in Minnesota Statute Section 342.01.

RESIDENTIAL TREATMENT FACILITY. Any facility licensed or regulated by the Minnesota Department of Human Services that provides 24-hour-a-day care, lodging, or supervision outside a person's home and which also provides chemical dependency or mental health services.

SCHOOL. Any kindergarten, elementary school, middle school, or secondary school, as defined by Minnesota Statute Section 120A.05.

SPECIAL SERVICES. The exclusive allocation of city resources, including, but not limited to, city personnel, equipment, rights-of-way, property or facilities for use in conjunction with a specific event or activity, as requested by the host or sponsor of the event, or as requested by or on behalf of any person attending the event, or deemed necessary by city staff in order to maintain public safety. Special Services shall include, but not be limited to, any of the following: street closures; requiring police officers to stop or reroute traffic; special police protection; stationing emergency vehicles at or in the immediate vicinity of the event; exclusive use of city streets or property as a staging area or for event parking; additional street cleaning and garbage removal services; special signage, such as temporary no parking signs; the use of any city building, equipment or other property for any purpose other than the normal operations of the facilities; or the City otherwise providing exclusive services.

TEMPORARY CANNABIS EVENT. A special event, held on public or private property, hosted by an individual or an organization holding a Temporary Cannabis Event Organizer license issued under Minnesota Statute Section 342.39.

TEMPORARY CANNABIS EVENT ORGANIZER. An individual or an organization licensed by the State of Minnesota to hold a Temporary Cannabis Event, as described in Minnesota Statute Sections 342.39 and 342.40.

### **319.03            TEMPORARY CANNABIS EVENT, PERMIT REQUIRED.**

Any person or organization desiring to hold a Temporary Cannabis Event in the City must first obtain a Temporary Cannabis Event Permit.

### **319.04            PERMIT APPLICATION.**

A. Form. Any person or organization desiring to hold a Temporary Cannabis Event must apply for a permit using the application provided. Incomplete applications will be returned to the applicant with details on how to make the application complete. In addition to other relevant information, the application must contain the following:

1. Applicant name, address, phone number;
2. Address of proposed Temporary Cannabis Event;

3. Name of property owner, if different from applicant, and signature of property owner authorizing use of property for the Temporary Cannabis Event;
4. A copy of the application for a Temporary Cannabis Event Organizer license submitted to the Office of Cannabis Management under, and meeting the requirements of, Minnesota Statute Section 342.39, subd. 2;
5. A diagram of the Temporary Cannabis Event showing:
  - a. Location and description of sanitary facilities meeting federal and state requirements;
  - b. Location and description of solid waste disposal facilities meeting state and local regulations;
  - c. Location and description of mobile food vending to be offered at the Temporary Cannabis Event; proof of license and permit for vending must be submitted at least seven days prior the event and kept on site for immediate inspection.
6. Security: In addition to meeting the requirements of Minnesota Statute Section 342.40, subd. 3, the City may require the applicant employ, at their own expense, additional security personnel necessary to protect maximum number of persons permitted to attend the event and to preserve order in and around event site as determined by the City. No permit shall be issued unless the City police and fire departments have approved the security plan.
7. Emergency Plan: Applicant shall provide the City with an emergency plan that details procedures for managing or responding to emergencies as required by the Minnesota State Fire Code. In addition, for events where there is a possibility for more than 1,000 people to congregate, the applicant shall provide trained crowd managers. The minimum number of crowd managers shall be established at a ratio of one crowd manager to every 250 persons. Where approved by the fire code official, the ratio of crowd managers may be permitted to be reduced only where the facility is fully equipped with an approved automatic sprinkler system or based upon the nature of the event. The emergency plan and amount of crowd managers must be approved by the fire department.
8. Parking and Traffic Plan: The City may require the applicant to submit a parking and traffic plan, and provide, install, and remove all traffic control equipment if necessary. Applicant is required to pay all costs for traffic control measures and traffic control personnel.
9. A description of any Special Services, city personnel, city equipment and city property which the applicant requests the City to provide, including the applicant's estimate of the number and type needed, and the basis on which the

estimate is made. Notwithstanding the foregoing, the City retains sole discretion to determine the number and type of Special Services required for the event.

10. Whether the Temporary Cannabis Event intends to permit on-site consumption.

11. If the applicant proposes to use sound amplification or a public address system or if there will be any playing of any music or musical instruments, the identity of the designated individual responsible for monitoring sound levels and the name and contact information for a person on-site during the event that will be able to respond to noise complaints.

B. Time for filing. A Temporary Cannabis Event permit application must be filed with the City at least 30 days in advance of the date in which the Temporary Cannabis Event is to occur.

C. Permit fee. An applicant for a Temporary Cannabis Event permit must pay a nonrefundable permit fee in the amount established by the City's fee ordinance.

### **319.05 PERMIT APPLICATION REVIEW.**

A. Special Services. The City shall determine whether Special Services may be necessary, and the cost for such Special Services.

B. Review. When a Temporary Cannabis Event will not require any Special Services, the City Manager, or their designee, may review and approve the permit application administratively. In cases where a Temporary Cannabis Event requires Special Services, the application will be presented to the City Council for review.

C. Imposition of Conditions. The City Manager, or their designee, may impose reasonable restrictions on the issuance of a Temporary Cannabis Event permit.

D. Permit Denial. The City may deny an application for a Temporary Cannabis Event permit if it determines from a consideration of the application or other pertinent information, that:

1. The information contained in the application or supplemental information requested from the applicant is false or nonexistent in any material detail;
2. The applicant fails to supplement the application after having been notified by the City of additional information or documents needed;
3. The applicant fails to agree to abide or comply with all of the conditions and terms of the Temporary Cannabis Event permit, including payment of all costs and expenses;

4. The Temporary Cannabis Event would substantially or unnecessarily interfere with traffic in the City, would interfere with access to the fire station or fire hydrants, or would interfere with access to businesses or residences in the immediate vicinity of the event and there are not sufficient city resources available at the time of the event to mitigate the disruption;
  5. The Temporary Cannabis Event is of the size or nature that requires the diversion of so many law enforcement officers to properly police the event, site and contiguous areas that allowing the Temporary Cannabis Event would unreasonably deny law enforcement protection to the remainder of the City and its residents;
  6. The proposed date and time of the Temporary Cannabis Event conflicts with a previously scheduled event and there are not available at the time of the proposed Temporary Cannabis Event sufficient city resources to provide services for both events without substantially or unnecessarily interfering with police, fire, water, public works, or other services to the City as a whole;
  7. The location of the Temporary Cannabis Event will substantially interfere with any construction or maintenance work scheduled to take place upon or along public property or right-of-way;
  8. The Temporary Cannabis Event would likely endanger the public safety or health;
  9. The Temporary Cannabis Event would substantially or unnecessarily interfere with police, fire, water, public works, or other services to the City as a whole and there are not available at the time of the proposed event sufficient city resources to mitigate the disruption;
  10. The applicant fails to comply with the liability insurance requirements or the applicant's insurance lapses or is canceled; and
  11. The applicant has on prior occasions made material misrepresentations regarding the nature and extent of Special Services required for a Temporary Cannabis Event in the City or has violated the terms of a prior Temporary Cannabis Event permit.
- E. Right of Appeal. If the Temporary Cannabis Event permit application has been denied, the applicant may appeal the decision to the City Council. The applicant must provide the City Manager with written notice of appeal within five business days of the date of denial.

**319.06 FEES FOR SPECIAL SERVICES.**

- A. Special Services Fee. The applicant must pay the costs of all Special Services used during the Temporary Cannabis Event. Such costs will be established in the City's fee

schedule. At the discretion of the City Manager, the applicant may be required to pay a Special Services fee deposit based on the estimated costs of the Special Services to be provided at the Temporary Cannabis Event. Such deposit must be paid at least ten business days before the Temporary Cannabis Event. If no deposit has been made, or in the event that the costs exceed the deposit, the balance owed must be paid within thirty (30) days.

#### **319.07 INDEMNIFICATION AND INSURANCE.**

- A. If the Temporary Cannabis Event requires Special Services, or is to be held on city property, prior to the issuance of a Temporary Cannabis Event permit, the permit applicant and authorizing officer of the sponsoring organization, if any, must sign an agreement to indemnify, defend and hold the City, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the Temporary Cannabis Event, except any claims arising solely out of the negligent acts or omissions of the City, its officials, employees and agents.
- B. Liability Insurance Required. The applicant must possess or obtain liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the Temporary Cannabis Event. A certificate of insurance must be filed with the City prior to issuance of the Temporary Cannabis Event permit. The certificate of insurance must name the City, its officials, employees and agents as additional insureds. Insurance coverage must be maintained for the duration of the Temporary Cannabis Event. Any company hired or working on behalf of the applicant or sponsor must also present the City with a certificate of insurance naming the City, its officials, its employees, and agents as additional insureds.
- C. Minimum Limits. Insurance coverage must be a commercial general liability policy. The minimum limits must be at least \$2,000,000 for any single occurrence. If on-site consumption is permitted at the Temporary Cannabis Event, the policy must also include an endorsement for such consumption. The City may require additional endorsements depending upon the type of Temporary Cannabis Event and the proposed activities. The liability policy must include the City as an additional insured.
- D. Waiver or Reduction of Required Limits. The City may waive or reduce insurance requirements of this section under the following circumstances:
  - 1. The applicant or officer of the sponsoring organization signs a verified statement that the insurance coverage required by this section is impossible to obtain; or
  - 2. The City determines that the insurance requirements are in excess of the reasonable risk presented by the proposed Temporary Cannabis Event.

#### **319.08 TEMPORARY CANNABIS EVENT REGULATIONS.**

- A. Location Restrictions.

1. May not be held on City-owned property or school property;
  2. If held outdoors, may not be held on property within 500 feet of a residential property or a residential treatment facility;
  3. May be held at any single location more than four (4) times in a calendar year.
- B. A Temporary Cannabis Event may not be held for longer than three (3) consecutive days;
- C. Hours Restrictions: Temporary cannabis events shall only be held between the hours of 7:00 a.m. and 10:00 p.m.
- D. On-site consumption of edible cannabinoid products and lower-potency hemp products is permitted.
- E. No person holding a permit for a Temporary Cannabis Event shall allow and no participant in a Temporary Cannabis Event shall camp overnight at the location of a Temporary Cannabis Event, except for a reasonable number of persons required to maintain security.
- F. No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person, or precludes their enjoyment of property or affects their property's value. This general prohibition is not limited by the specific restrictions contained in City Code, Section 405.02. If amplified music and/or speaking is utilized, the following requirements must be met:
1. The applicant must have designated a person affiliated with the Temporary Cannabis Event that is responsible for monitoring sound levels and has authority to ensure that sound does not exceed 80 decibels as measured 50 feet from the property line, or 50 feet from the source, whichever is more restrictive.
  2. The amplified music and/or speaking can only be for a period of four hours or less between the hours of 7:00 a.m. – 9:00 p.m. Monday-Friday, and 9:00 a.m. – 9:00 p.m. on weekends and legal holidays. Amplified speakers are required to be positioned in a way to limit noise to the surrounding residential areas.
  3. The applicant must have provided a name and contact information for a person on-site of the event that will be able to respond to noise complaints and ensure that noise generated at the site complies with this chapter.
- G. Smoking and vaping prohibited. No person shall smoke or vape any product, including cannabis flower, cannabis products, and lower-potency hemp products, or

use any cannabis or lower-potency hemp related or electronic delivery devices at a temporary cannabis event.

- H. Cleanup: Applicant shall, at no cost to the City, immediately clean up, remove, and dispose of all litter or materials of any kind that is placed or left on the premise because of the event, or be charged the hourly rate of the employee for cleanup.
- I. Notice to Residents: Applicant must provide a 10-day notice to residents within 500 feet of the event. For events that occur over a course or a route, the applicant shall attempt to notify the public. The City will provide the applicant the mailing list. If amplified music and/or speaking will be utilized, such notification must include the name and contact information of the person on-site during the event that will be able to respond to noise complaints.
- J. All Temporary Cannabis Events must follow all requirements of Minn. Stat. § 342.01, et seq., and all city policies related to special events.

#### **319.09            ENFORCEMENT.**

- A. Misdemeanor: Any person who violates this chapter is guilty of a misdemeanor and, upon conviction, is subject to a fine and imprisonment as prescribed by state law. Each day each violation continues or exists, constitutes a separate offense.
- B. Administrative fine: any person who violates this chapter is subject to administrative fines in an amount set in the City fee schedule. Each day each violation continues or exists, constitutes a separate offense.
- C. Violation of any provision of this Chapter shall also be grounds for revocation of the Temporary Cannabis Event Permit, denial of any future application for a Temporary Cannabis Event permit, and action against any City-issued business license held by the Temporary Cannabis Event Organizer.

SECTION 2: Effective date. This ordinance shall take effect on January 1, 2025, following its passage and publication.

Passed by the City Council of the City of Roseville this 25<sup>th</sup> day of November, 2024.

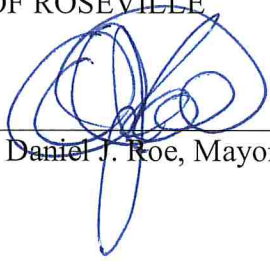
**Signatures as follows on separate page:**

*Ordinance – ESTABLISHING TITLE 3 CHAPTER 319 TO REGULATE TEMPORARY CANNABIS EVENTS*

(SEAL)

CITY OF ROSEVILLE

BY: \_\_\_\_\_

  
Daniel J. Roe, Mayor

ATTEST:

  
Patrick Trudgeon, City Manager