



Board of County Commissioners Agenda Request

3A

Agenda Item #

Requested Meeting Date: September 24, 2024

Title of Item: Request direction on proposed Aitkin County Cannabis Enforcement & Regulation

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input checked="" type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Andrew Carlstrom		Department: Environmental Services-Planning/Zoning
Presenter (Name and Title): Andrew Carlstrom, Environmental Services Director		Estimated Time Needed: 5 Minutes
Summary of Issue: We are respectfully requesting direction on the proposed draft Joint Powers Agreement (JPA) for the enforcement and regulation of cannabis with our municipalities in Aitkin County. Please see attached draft JPA. Thank you.		
Alternatives, Options, Effects on Others/Comments: N/A		
Recommended Action/Motion: Requesting direction on the proposed draft Joint Powers Agreement.		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.

**JOINT POWERS AGREEMENT BETWEEN THE
COUNTY OF AITKIN AND [INSERT CITY OR TOWN]
FOR THE ENFORCEMENT AND REGULATION OF CANNABIS**

This agreement is made between the County of Aitkin and the [INSERT CITY OR TOWN] for administration and regulation of cannabis as regulated under Minnesota Chapter 342 and the rules and regulations promulgated thereunder.

This agreement is authorized by Minnesota Statutes § 342.22, subdivision 1 and Minn. Stat. § 471.59.

The County of Aitkin and the [INSERT CITY OR TOWN] agree that:

1. The County of Aitkin will act in place of the [INSERT CITY OR TOWN] as the local government unit for the regulation and enforcement of cannabis under Minnesota Statutes Chapter 342 and any rules or regulations adopted under Minnesota Statutes Chapter 342 by the State of Minnesota or the Office of Cannabis Management.
2. The County of Aitkin is authorized to adopt, administer, and enforce within the jurisdictional limits of [INSERT CITY OR TOWN] any ordinances, laws, regulations, or registration requirements concerning cannabis including, but not limited to, the adoption of a moratorium and the adoption of a limit on the number of retailer registrations issued as allowed under Minnesota Statutes Chapter 342.
3. The County of Aitkin is authorized and has the consent of the [INSERT CITY OR TOWN] to review and certify to the Office of Cannabis Management if the business applying for a license in [INSERT CITY OR TOWN] complies with local zoning ordinances and, if applicable, state fire and building codes. The [INSERT CITY OR TOWN] shall provide the County of Aitkin, within 30 days of receipt of the license application, with any additional information it believes is relevant to the license review and the County of Aitkin shall attach such information to the certification materials submitted to the Office of Cannabis Management.
4. The County of Aitkin is authorized and has the consent of the [INSERT CITY OR TOWN] to register and enforce all registration requirements, including but not limited to compliance checks and registration suspension related actions, under Minnesota Statute §342.22. Any fees or penalties collected for registration and enforcement will remain entirely with the County of Aitkin. The parties will retain any Local Government Cannabis Aid allocated to them by the State of Minnesota.
5. The County of Aitkin will annually provide sufficient funding for the administration, enforcement and registration of the possession, sale and use of cannabis within the jurisdiction limits of [INSERT CITY OR TOWN]. Source of funds shall be through State grant funds, County cannabis aid funds, general revenue funds and the collection of fees and penalties as established by the County of Aitkin.

The Parties of this Agreement are not liable for the acts or omissions of the other participants to this Agreement except to the extent to which they have agreed in writing to be responsible for acts or omissions of the other Parties.

This agreement may be amended by mutual agreement of the County of Aitkin and the [INSERT NAME OF CITY OR TOWN] by resolutions of their respective boards.

This agreement shall become effective upon signature of all duly authorized signatures, and shall remain in effect until terminated by agreement of the parties or thirty days after written notice of termination by either party.

County of Aitkin
Board Chair

Date

[INSERT NAME OF CITY OR TOWN]
[Mayor or Town Board Chair]

Date