

FACT SHEET

Washington County Cannabis Ordinance

For businesses and retailers

OVERVIEW

Based on the most reliable and up-to-date scientific evidence, Washington County finds that the sales of newly legalized hemp and cannabis products may have risks that impact the public health and safety of the residents of Washington County, particularly youth.

The United States Surgeon General has issued an advisory to alert the public to the known and potential harms to developing brains posed by the increasing availability of highly potent cannabis in multiple, concentrated forms.

RULES FOR CANNABIS & HEMP RETAILERS IN WASHINGTON COUNTY



Product sales:

- ▶ Are not allowed at a moveable place of business.
- ▶ Are not allowed at any type of vending machine.
- ▶ Must be properly labeled or packaged.

Hemp and cannabis products, excluding multipack hemp beverages in a liquor store, must be stored in a restricted area that is not available for self-service (product may still be displayed).



All registered retail establishments:

- ▶ Must follow all advertisement restrictions.
- ▶ May sell cannabis products that comply with potency limits.
- ▶ May sell hemp edible products that comply with potency limits.
- ▶ Must prohibit indoor smoking.



Age-related regulations:

- ▶ No person **under 21** can enter a cannabis business.
- ▶ No person **under 21** can purchase cannabis or hemp. *Medical patients may be younger based on their caregiver prescription.*
- ▶ No person **under 21** may sell or handle cannabis products.
- ▶ No person **under 18** may sell or handle hemp products.
- ▶ Establishments must verify government-issued photo ID with date of birth before any sales.



Other regulations:

- ▶ No samples of product may be given free of charge or at a nominal cost.
- ▶ Products must be packaged in child-resistant packaging.
- ▶ Products must not be packaged in a way attractive to underage persons.
- ▶ Required signage (provided by Washington County) must be in plain view at all times.
- ▶ Retailers must take back single-use and disposable electronic delivery devices for battery recycling if the battery cannot be separated from the cartridge for normal recycling.

Research in Minnesota indicates retail establishments have often failed to check buyer IDs when selling hemp edible products since becoming legal, and that frequent compliance checks help shift businesses toward consistently checking IDs.



Compliance checks:

- ▶ For businesses registered with Washington County, compliance will be checked **3x per year**. Two compliance checks will include a decoy buyer between **18-20 years old**.
- ▶ For businesses registered with a city or town, Washington County personnel may inspect as needed to verify compliance with sales regulations.



Violations and penalties:

- ▶ County may issue administrative citations or misdemeanor citations for violations.
- ▶ Operating without a valid registration is a **\$2,000** fine for each day of operation.
- ▶ Registered business compliance check failures:
 - **1st violation:** \$500
 - **2nd violation:** \$750
 - **3rd violation:** \$1,000
 - **4th violation:** Registration revoked

TOBACCO & HEMP RETAIL CONSIDERATIONS

KEY PRODUCT & RETAILER TERMS



- ▶ State law prohibits registered cannabis retail businesses from selling tobacco products, but registered hemp retail businesses may also sell tobacco with a valid tobacco license.
- ▶ Registered hemp retail businesses may have a county tobacco license suspended for failed hemp compliance checks.
- ▶ All single-use or disposable electronic delivery devices sold by a tobacco retailer with a hemp product registration would need to be taken back for recycling if the battery cannot be separated from the cartridge for normal recycling.



For definitions, please visit **Minnesota Statute Chapter 342.01** (revisor.mn.gov/statutes/cite/342.01).

- ▶ **Approved Products.**
- ▶ **Electronic Delivery Device.**
- ▶ **Lower-Potency Hemp Edible.**
- ▶ **Registered Retail Establishment.**
- ▶ **Registered Cannabis Retail Establishment.**
- ▶ **Registered Hemp Retail Business.**

The Washington County cannabis ordinance is intended to ensure responsible cannabis retailing and allow legal sale and access, without promoting unsafe substance use. It is also intended to discourage violations of cannabis-related laws, especially those which prohibit or discourage the marketing, sale, or distribution of cannabis and cannabis products to youth under age 21.

Some cities in Washington County have decided to keep registration authority, while others are delegating to the county. Check with your local municipality or washingtoncountymn.gov/cannabishempsales.

*More details can be found in **Minnesota Statute Chapter 342** (revisor.mn.gov/statutes/cite/342).*