

**City of Oakdale
ORDINANCE NO. 956**

**AMENDING THE CODE OF ORDINANCES FOR THE CITY OF OAKDALE, CHAPTER 9 – ARTICLE 7
“PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS”, RELATING TO THE LICENSE TERMS FOR
SOLICITORS, ARTICLE 17 “TETRAHYDROCANNABINOL (THC) CONSUMABLE PRODUCTS”, REPEALING
THC REGULATIONS PREEMPTED BY STATE LAW, AND ARTICLE 18 “CANNABIS AND HEMP BUSINESS
REGULATIONS”, RELATING TO CLARIFYING PROCESSES AND PRELIMINARY REGISTRATION PROCESS**

The City Council of the City of Oakdale ordains:

Section 1. The City of Oakdale Code of Ordinances, Chapter 9, Article 7, Section 9-70, is amended to read as follows:

Sec. 9-70. License or Registration Requirements.

(a) **Application and Registration.** Application for a transient merchant or peddler license and solicitor registration will be made on forms supplied by the city. All registration and license applications must be submitted to the issuing authority staff a minimum of fourteen (14) regular business days before the applicant desires to begin conducting a business operation within the city. No license will be issued for any activity that does not adhere to this requirement. The application and registration form shall be signed by the applicant and shall contain:

- (1) The applicant's full legal name and date of birth in addition to the applicant's full address of permanent residence.
- (2) If the applicant is a partnership; the names, dates of birth, addresses and phone numbers of all partners. If the applicant is a corporation; the names, dates of birth, addresses and phone numbers of all officers of the corporation.
- (3) Any and all other names under which the applicant has conducted or does conduct business, or to which the applicant will officially answer to.
- (4) A physical description of the applicant (hair color, eye color, height, weight, any distinguishing marks or features, and the like).
- (5) Telephone number of applicant's permanent residence.
- (6) Any and all business-related telephone numbers of the applicant, including cellular phones and facsimile (fax) machines where the applicant can be reached while conducting business within the city.
- (7) Applicant's business and residential addresses for a period of five (5) years prior to the application date; a statement as to whether the applicant is the sole owner of the business; and a statement to the effect that no other persons other than those named have any interest in the management and control of the business.
- (8) The applicant's driver's license number or other acceptable form of identification.
- (9) The type of business for which the applicant is making license application.
- (10) The dates during which the applicant intends to conduct business.
- (11) A brief description of the activity and a general description of the items to be sold or services to be provided.

- (12) A description of the location of the property where the activity is to be conducted and written permission of the property owner or the property owner's agent for any location to be used by a transient merchant.
- (13) Information relating to all convictions of any felony, gross misdemeanor or misdemeanor level violation of any state or federal statute or any local ordinance, other than minor traffic offenses.
- (14) A list of the three (3) most recent locations where the applicant has conducted business.
- (15) Proof of any required county license.
- (16) The license plate number and physical description for all vehicles to be used in conjunction with the business operation.
- (17) Any and all additional information as may be deemed necessary by the Issuing Authority.

(b) **Fee.** Each application for a license must be accompanied by payment in full of the required fees, as such fees are determined by the City Council. Upon rejection of any application for license, or upon withdrawal of any application before City Council approval, the amount paid for the license fee shall be refunded in full to the applicant, except where rejection is for a willful misstatement in the license application.

(c) **Licensing Procedure.** Upon receipt of the transient merchant or peddler application and payment of the license fee, the issuing authority staff will, within two (2) regular business days, determine if the application is complete. An application will be considered complete if all required information is provided. If an application is determined incomplete, the issuing authority must inform the applicant of that required, or otherwise necessary information is missing. If the application is complete, the issuing authority staff will order any investigation, including background checks, necessary to verify the information provided with the application. Within ten (10) regular business days of receiving a complete application, the issuing authority must issue the license unless grounds exist for denying the license application under Section 9-71.

(d) **Registration Procedure.** All solicitors shall be required to register with the city prior to engaging in soliciting activities. Registration shall be made on the same form required for a license application, but no fee shall be required. Immediately upon completion of the registration form and review for completeness, the issuing authority shall issue to the registrant a certificate of registration as proof of the registration, unless grounds exist for denying the certificate of registration under Section 9-71.

(e) **Duration, Peddlers and Transient Merchants.** All licenses issued under this ordinance shall be valid only during the quarter in which the activity is taking place. Quarters are January through March, April through June, July through September and October through December. Only one (1) license may be issued to any applicant on behalf of a single identified commercial entity during or for the same quarter period. No transient business activity may be conducted in the City for more than eight (8) days total during a quarter and not for a period of more than four (4) consecutive days.

(f) **Duration, Solicitors.** All Solicitor certificates of registration shall expire on December 31 of each year.

Section 2. The City of Oakdale Code of Ordinances, Chapter 9, Article 17, is repealed in its entirety.

Section 3. The City of Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-184, is amended to read as follows:

Sec. 9-184. Pre-license certification of cannabis businesses.

- (a) The City Administrator, or their designee, is authorized to certify whether a proposed cannabis business complies with the City's zoning ordinances and, if applicable, with state fire code and building code pursuant to Minnesota Statutes, Section 342.13.
- (b) Prior to the City receiving a request for zoning certification from the OCM, a potential licensee must have received all zoning approvals and passed all building and fire code inspections. Building and fire code inspections will be valid for one (1) year from completion. If a potential licensee fails to obtain necessary zoning approvals or have any building or fire code inspection complete prior to the City receiving a request for certification, the city will inform the OCM that the potential licensee does not meet zoning and land use laws.

Section 4. The Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-185, is amended to read as follows:

Sec. 9-185. Prohibited location.

No cannabis business may be located within one thousand (1,000) feet of a school, or five hundred (500) feet of a licensed day care, park feature, or a residential treatment facility, as measured from the closest point of the property line where the Cannabis Business is proposed to be located to the closest point of the property line of the school, licensed day care, or residential treatment facility or the boundary of park feature. The buffer will be established on the earlier of: i) the date the potential licensee applies for a land use approval; ii) the date the city receives a request for zoning certification under Sec. 9-184; or iii) the date the city receives a complete application for Sec. 9-189.

Section 5. The Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-186, is amended to read as follows:

Sec. 9-186. Registration of retailers.

Retail Registration Required. Before making retail sales to customers or patients, all cannabis retailers and lower-potency hemp retailers must obtain a retail registration from the city. Making retail sales to customers or patients without an active retail registration is prohibited.

Section 6. The Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-187, is amended to read as follows:

Sec. 9-187. Cannabis retailer registration limits.

- (a) Cap on number of cannabis retailer registrations:
 - (1) The city will issue one (1) registration for every twelve thousand five hundred (12,500) residents in the city, except that the city will not issue any registrations if there is one (1) registration per twelve thousand five hundred (12,500) residents in Washington County.
 - (2) The number of registrations available will be calculated by dividing the state demographer's most recent estimate of the city's population.
 - (3) The city will update the number of registrations available based on the most recent data available from the state demographer on January 1 and June 1 each year.
 - (4) The number of registrations in the county will be based on the number of registrations in the county on the day the application is received.
 - (5) If the number of registrations available within the city decreases based on the county reaching the one per twelve thousand five hundred (12,500) threshold, or the city's population decreases below

a previous threshold, businesses with current registrations will be allowed to maintain and renew their registrations, but no new registration will be issued.

- (6) Preliminary registrations issued to businesses with a preliminary license approval will count toward the city's registration limit.
- (b) The following businesses are not subject to the cap on registration under Paragraph (a) above:
 - (1) Lower-Potency Hemp Retailer;
 - (2) Municipal cannabis store; and
 - (3) Medical cannabis combination businesses.

Section 7. The Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-188, is amended to read as follows:

Sec. 9-188. Processing registrations.

Applications for registration will be processed on a first-come, first-served basis based on the city receiving a complete application and payment of all fees. Applications will be considered complete when all materials in Section 9-189 are received by the city and include all required information, including a proposed address for which registration is sought. The date a certification under Section 9-184 is issued will have no impact on the applicant's registration processing and is not an indication that any cap on registrations has not been met. Applicants who meet these requirements will be approved for a preliminarily registration (or place in line) pending final inspection under 9-190. A preliminary registration will be cancelled in the event that there are any changes in the application, including the name of the applicant; the address for the property for which the registration is sought; upon the potential licensee no longer being eligible for a registration; or upon termination of a preliminary approval by the state.

Section 8. The Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-189, is amended to read as follows:

Sec. 9-189. Application for registration.

All applicants for initial registration or renewal registration must submit a registration application or renewal form provided by the city. The form may be amended from time to time by the City Administrator, but must include or be accompanied by:

- (a) Name of the property owner;
- (b) Name and date of birth of the applicant;
- (c) Address and parcel ID for the property for which the registration is sought;
- (d) Certification that the applicant complies with the requirements of this article;
- (e) **Fee Required.** At the time of initial application, and prior to the city's consideration of any renewal application, each cannabis retailer must pay, as established in the city's fee schedule, the following fees:
 - (1) At the time of initial registration:
 - a. An initial registration fee. The initial registration fee will pay for the costs of registration and the cost of the first year of operation.
 - b. The renewal fee for the second year of operation.
 - (2) At the time of the first annual renewal (prior to the second year of operation), no fee will be due.

- (3) At the time of the second annual renewal, and each year thereafter, the renewal fee must be paid prior to the city issuing any renewal registration.
- (4) Initial registration fees and renewal registration fees are nonrefundable.
- (f) A copy of a valid state license or written notice of OCM license preliminary license approval;
- (g) Proof of taxes, assessments, utility charges, or other financial claims of the city and state are current.

Section 9. The Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-190, is amended to read as follows:

Sec. 9-190. Preliminary compliance check.

The business may not open unless, prior to opening for operations following approval of a preliminary registration, the applicant has obtained a license from the state, passed a preliminary compliance check conducted by the city to ensure compliance with this article, including a second verification that all taxes, assessments, utility charges, or other financial claims due to the city and state are paid in full at the time of the preliminary compliance check, and any other regulations established pursuant to Minnesota Statutes, Section 342.13.

Section 10. The Oakdale Code of Ordinances, Chapter 9, Article 18, Section 9-191, is amended to read as follows:

Sec. 9-191. Basis for denial.

The city shall not issue a registration or renewal for any cannabis retailer or lower-potency hemp retailer if any of the following conditions are true:

- (a) The applicant has not submitted a complete application.
- (b) The applicant does not comply with the requirements of this article.
- (c) The applicant does not comply with applicable zoning and land use regulations.
- (d) If applicable, the applicant is found to not comply with the requirements of the Act or this article at the preliminary compliance check.
- (e) If applicable, the maximum number of registrations, pursuant to Section 9-186 have been issued by the city or within the county.
- (f) The applicant does not have a valid license or preliminary license approval from the OCM.

Section 11. Incorporation. City staff is authorized and directed to update the table of contents, reformat this ordinance, and to make such other non-substantive changes as are necessary to incorporate the amendments adopted by this ordinance into the Oakdale City Code.

Section 12. Effective Date. Section 1 and Sections 3 through 10 of this ordinance shall take effect and be in full force from and after its adoption and publication, as provided by law. Section 2 of this ordinance shall take effect and be in full force on March 31, 2026 after its adoption and publication.

Voting in Favor: Mayor Zabel, Council Members Moore, Morcomb, Severson, and Wrich;

Voting Against: None.

Adopted this 9th day of December, 2025 by the Oakdale City Council.



Kevin Zabel, Mayor

Attest:

Sara J. Ludwig
Sara Ludwig, City Clerk

Posted: November 28, 2025

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