



Pamela Whitmore
Fifth Street Towers
150 South Fifth Street, Suite 700
Minneapolis, MN 55402

(612) 337-9276 telephone
(612) 337-9310 fax
pwhitmore@kennedy-graven.com

MEMORANDUM

TO: Nate Burkett
FROM: Pamela Whitmore, City Attorney
DATE: May 25, 2023
RE: Summary of Cannabis Legalization and City Regulation

This memorandum provides a high-level summary of cannabis legalization recently adopted by the State and discusses the potential, although limited, regulatory options available to Minnesota cities. This memorandum does not include all provisions of the cannabis legalization bill, which is over 300 pages. However, this memorandum focuses on key provisions that may impact the City. Because this memo is also very lengthy, I have provided an introductory paragraph of how this new bill immediately impacts the City's existing structure, followed by a more general overview of what the City will want to consider moving forward.

Immediate Impact on City

The City recently put in place licensing for the retail sales of the edibles/THC products legalized in the 2022 legislation and amended its zoning code related to the same. *See*, 23-004 Amending the West St. Paul City Code Section 114 Regarding Intoxicating THC Products, and 23-006 Amending Section 153.156 of the West St. Paul City Zoning Code Regarding Specialty Intoxicating THC Retailers.

With this new bill, the City may want to consider an interim ordinance to allow City staff time to study whether to recommend reasonable time, place and manner regulations regarding all Cannabis Businesses, and to analyze whether the City should limit the number of **retail** licenses for Cannabis Businesses based on population.

Because of the existing ordinances in place, the interim ordinance being proposed also will recommend prohibiting establishing Cannabis Businesses (businesses tied to the higher potency products) and will freeze the current licensing of lower potency hemp product establishments and manufacturers, identified as Intoxicating THC Products in West St. Paul's ordinances, at the current numbers and only for the THC products currently allowed under city ordinances before the effective date of the 2023 bill. If it chooses to adopt an interim ordinance, the Council, in its discretion, can, at any time, repeal the interim ordinance before the expiration of the year time

frame normally associated with interim ordinances. Under the state law, the current THC Specialty Retailers and other licensed TCH non-specialty Retailers in West St. Paul will have to register with the state by October 1, 2023. Keep in mind, the interim ordinance is limited in scope to the businesses operating in the community but does not regulate the use of Cannabis products once those products become legal this summer.

Most of the provisions of the new bill go into effect on either July 1, 2023, or August 1, 2023; however, there are some changes that the Legislature directed to go into effect the day following the Governor's signature:

- Allowing exclusive liquor stores to sell *lower-potency hemp edibles* as defined¹.
- Prohibiting, unless in edible form, nonintoxicating cannabinoid products (that are externally applied – like oils or lotions for example) to be marketed as able to be smoked, vaped, injected or chewed.
- Changing how edibles can be marketed and where edibles can be kept and displayed.
- Allowing edibles and nonintoxicating cannabinoids (again like oils, lotions etc that are externally applied) to be sold and consumed on site if the retailer selling them has an on-sale liquor license.

Section 151.72 (the 2022 legislation) was given a sunset date of March 1, 2025, and oversight of the edible products transitions to MN Dept of Health, with whom retailers of these lower-level products must register before October 1, 2023. Again, as stated above, most of the bill goes into effect either July 1, 2023, or August 1, 2023, depending on the regulation. The below highlights some of the main impacts of the bill on cities.

State Agency and Licensing

A. Office of Cannabis Management

The stated purpose of the legislation includes (1) elimination of the illicit market for cannabis, (2) meeting the market demand for cannabis, (3) promoting a craft industry for cannabis and (4)

¹ "Lower-potency hemp edible" means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

prioritizing growth and recovery in communities that have experienced a disproportionate, negative impact from cannabis prohibition.

The bill creates the State’s “Office of Cannabis Management” (“OCM”), which will represent the licensing agency for the fourteen different categories of licenses. The regulation of all Cannabis Businesses, including medical cannabis, falls within the purview of the OCM. The director of the OCM is appointed by the Governor with the consent of the Senate. The bill also creates a Division of Social Equity within the OCM to “administer grants to communities that experienced a disproportionate, negative impact from cannabis prohibition and usage in order to promote economic development, provide services to prevent violence, support early intervention programs for youth and families, and promote community stability and safety.”

The provision establishing the OCM has an effective date of July 1, 2023, and it authorizes expedited rulemaking. Under the expedited process, an agency publishes notice of its proposed rule in the State Register and mails notices to those who have requested notice. The agency must then allow at least 30 days for comment. At the end of the comment period, and after an administrative law judge approves the form and legality, the agency may adopt the rule. Unlike the customary rulemaking process, there is no opportunity for public hearing under the expedited process, unless the legislature specifically provides for this opportunity. Technically, the OCM could realistically adopt rules within 30 days, and would likely start issuing licenses fairly quickly after rulemaking is completed.

B. State Licensing

The bill establishes fourteen “types” of Cannabis licenses to be issued by the OCM, and sets forth licensing processes for those businesses listed below (all of which are defined in the bill):

- cannabis microbusiness;
- cannabis mezzobusiness;
- cannabis cultivator;
- cannabis manufacturer;
- cannabis retailer;
- cannabis wholesaler;
- cannabis transporter;
- cannabis testing facility;
- cannabis event organizer;
- cannabis delivery service;
- lower-potency hemp edible manufacturer;
- lower-potency hemp edible retailer;
- medical cannabis cultivator;
- medical cannabis processor;
- medical cannabis retailer; or
- medical cannabis combination business.

For the most part, vertical integration of licenses is prohibited.

Upon receipt of an application for a license, the OCM shall contact the City and provide the City with 30 days in which to provide input on the application. The City can provide the OCM with any additional information it believes is relevant to the OCM's decision on whether to issue a license, including but not limited to identifying concerns about the proposed location of a Cannabis Business or sharing public information about an applicant.

Within 30 days of receiving a copy of an application for a Cannabis Business license from the OCM, the City shall certify on a form provided by the OCM whether a proposed ***Cannabis Business*** (defined to include all licenses above other than the two licenses related to lower potency hemp) complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code. This does not mean that Cities can create zoning specific to those businesses or to prohibit those businesses. However, as discussed below, cities can adopt some reasonable than time, place and manner restrictions in its ordinance, as well as limit number of ***cannabis retailers, cannabis mezzo businesses with a retail operations endorsement, and cannabis microbusinesses with a retail operation*** to no fewer than one registration for every 12,500 residents. Additionally, other general zoning still applies, which means, for example, that a license for a cannabis manufacturer cannot apply to be in a residential zone if not a permitted use in city zoning.

Once licensed, the OCM has oversight as well. The OCM will establish an expedited complaint process to receive, review, and respond to complaints made by cities about a Cannabis Business. Complaints may include alleged violations of local ordinances or other alleged violations. At a minimum, the expedited complaint process will require the OCM to provide an initial response to the complaint within seven days and perform any necessary inspections within 30 days.

The bill does not prohibit cities from enforcing other local ordinances. In that regard, if the City notifies the OCM that a Cannabis Business (other than a cannabis retailer, cannabis microbusiness with a retail operations endorsement, cannabis mezzobusiness, lower-potency hemp edible retailer, medical cannabis retailer, or medical cannabis combination business) poses an immediate threat to the health or safety of the public, the OCM must respond within one business day and may take any action described in sections 342.19 or 342.21.

Local Control and Obligations

As has been discussed previously, the degree of local control authorized in the bill is very limited. However, there are options that the City can pursue.

A. General Provisions and Zoning

The City may adopt “reasonable restrictions on 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.*” The bill also expressly provides that a city cannot prohibit the possession, transportation, or use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products authorized under the statutes. Some have found a disconnect between these two provisions and by the Legislatures’ seemingly intentional exclusion of lower potency hemp products from its restriction on a city’s ability to “prohibit the

establishment or operation of Cannabis Business”. It is not clear the extent to which a city will be able impose regulations on the lower potency hemp products; however, it is my belief that the Legislature considered those products already legal from the 2022 law and, since, those products already legally exist, the Legislature intended the language that a city may not “prohibit possession, transportation or use” of the lower potency hemp edibles to provide the same or similar protections provided to Cannabis Businesses – only reasonable time, place and manner restrictions. Admittedly, however, there are other city attorneys who disagree with me and this is one area I believe the State will find itself needing to clarify.

The OCM is tasked with working with local governments to develop model ordinances that includes these time, place and manner provisions, standardized forms and procedures for the issuance of retail registration (see below) and model policies and procedures for compliance checks.

The bill also allows regulation on distances from certain types of buildings/uses, likely through zoning regulations. Specifically, prohibiting the operation of a Cannabis Business within 1,000 feet of a school or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field. I anticipate questions will arise as to how is “school” and “day care” defined for purposes of this Section.

Additionally, cities can limit, **by ordinance**, the number of *cannabis retailers, cannabis mezzo businesses with a retail operations endorsement, and cannabis microbusinesses with a retail operation* to no fewer than one registration for every 12,500 residents. Nothing in this section shall prohibit a local government unit from allowing licensed cannabis retailers in excess of the minimums set in paragraph. It is important to note that the language of the ordinance must reference “registrations” as opposed to licenses. The bill does not address when populations do not exactly match the 12,500 number or multiples thereof, and whether cities round up or round down. I imagine this question also will be one of the ones addressed by OCM rules.

In the zoning context, the bill also requires that prior to the issuance of a Cannabis Business license, the OCM “**shall request a land use compatibility statement** from the city, town, or county that authorizes the land use. The land use compatibility statement must demonstrate that the requested license is for a land use that is allowable within the given zoning designation where the land is located. The office **may not issue a license** if the land use compatibility statement shows that the proposed land use is prohibited in the applicable zone or if the applicant has failed to meet the land use requirements of the jurisdiction.” A city that receives such a request must act on the request within 30 days of receipt (if the use is allowable and has applied for and received all necessary land use approvals). Based on the language used in the bill, it is unclear if the OCM will also be requesting land use compatibility statement for the lower potency hemp licenses.

B. Interim Ordinances/Moratorium

If a local unit of government is conducting studies or has authorized a study to be conducted or has held or has scheduled a hearing for the purpose of considering adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of a Cannabis Business, the governing body of the local unit of government may adopt an

interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety, and welfare of its citizens. Before adopting the interim ordinance, the governing body must hold a public hearing. The interim ordinance may regulate, restrict, or prohibit the operation of a Cannabis Business within the jurisdiction or a portion thereof until January 1, 2025. There are no provisions regarding notice or other public hearing guidelines.

Because the effective date of the bill is July 1, 2023, and the state licensing agency created by the bill is also established on that same day, cities considering passing an interim ordinance may want to put an interim ordinance in place before July 1, 2023. To do so, cities would be relying on statutory authority under Minn. Stat. 462.355 to adopt those interim ordinances (rather than the authority allowed in the bill itself since the bill would not be effective yet), which then cannot be in place for longer than one year. Additionally, it appears that following the 462 interim ordinance process, rather than the specific authority under the bill, provides cities with the ability to include the lower potency hemp products and manufacturing in the interim ordinance with cities being mindful of the impact on timelines because of previous moratoria, if any. However, during the course of that year, if the City needs more time for studying the impact and understanding the regulations, then the City can extend that interim ordinance with respect to studying Cannabis Businesses pursuant to the authority allowed under the bill itself, which states those ordinances can be in effect until January 1, 2025.

C. City Cannabis Store

If the City desires, it may establish, own, and operate a municipal cannabis store subject to the restrictions in the statutes.

D. Retailer Registration

1. General Provisions: Registration with City by Businesses

The bill requires the following retailers to register with the City prior to making sales to customers or patients:

- A cannabis microbusiness with a retail operations endorsement;
- Cannabis mezzobusiness with a retail operations endorsement;
- Cannabis retailer;
- Medical cannabis retailer;
- Medical cannabis combination business; or
- Lower-potency hemp edible retailer.

The registration requirement **does not apply** to other Cannabis Businesses (manufacturers, wholesalers, cultivators, transporters, etc.) The City may impose an initial retail registration fee of \$500 or up to half the amount of the applicable initial license fee paid to the State, whichever is less. The City may also impose a renewal retail registration fee of \$1,000 or up to half the amount of the applicable renewal license fee paid to the State. The initial license fee includes the fee for initial registration and the first annual renewal. Therefore, renewal fees must be charged by the

City at the time of the second renewal and each subsequent annual renewal thereafter. The City cannot charge an application fee, and a Cannabis Business with a cannabis and medical cannabis retail license for the same location can only be charged a single registration fee. For reference, the following are the fees charged **by the State**:

- Cannabis microbusiness: initial license fee of \$0 and a renewal license fee of \$2,000;
- Cannabis mezzobusiness: an initial license fee of \$5,000 and a renewal license fee of \$10,000;
- Cannabis retailer: an initial license fee of \$2,500 and a renewal license fee of \$5,000;
- Medical cannabis retailer: an initial license fee of \$0 and a renewal license fee of \$0;
- Medical cannabis combination business: an initial license fee of \$20,000 and a renewal license fee of \$70,000; and
- Lower-potency hemp edible retailer: an initial license fee of \$250 per retail location and a renewal license fee of \$250 per retail location.

2. City Obligations related to Registration

The City must issue a registration if the business meets certain criteria (valid license, paid fees, compliant with preliminary check and current on property taxes). Before issuing a retail registration, the City can conduct a “preliminary compliance check” to ensure that the Cannabis Business or hemp business is in compliance with the applicable operation requirements and the limits on the types of products that may be sold. When the OCM renews a license, the City must renew the registration.

Registration creates additional obligations on the part of the City. The City is required to “conduct compliance checks of every Cannabis Business and hemp business with a retail registration issued by” the City. The checks must assess compliance with age verification requirements, the applicable operation requirements, and the applicable limits on the types of products being sold. Checks regarding compliance with operation requirement and the limits on the types of products sold must be performed at least once each calendar year and may be performed by a law enforcement officer or another City employee.

Similar to tobacco licensing, the City is also required to “conduct unannounced age verification compliance checks at least once each calendar year. Age verification compliance checks must 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 City.

3. Registration Suspension

If the City determines that a Cannabis Business or hemp business with a retail registration is not operating in compliance with the statute or that it poses an immediate threat to the health or safety of the public, the City may suspend the retail registration of the Cannabis Business or hemp business. The City must immediately notify the OCM of the suspension and include a description of the grounds for the suspension. The OCM will review the suspension and may order

reinstatement of the retail registration or other licensed based penalties or enforcement action. The retail registration suspension must be for up to 30 days unless the OCM suspends the license and operating privilege of the Cannabis Business or hemp business for a longer period or revokes the license.

The City may reinstate the retail registration if the City determines that any violation has been cured. The City must reinstate the retail registration if the OCM orders reinstatement.

Sales are prohibited without the registration. The City may impose a civil penalty of up to \$2,000 for each violation of the registration provisions.

E. Retailer Operation Standards

The bill includes a number of operational standards for retail facilities, which are regulated by the State. A few standards that the City may want to know:

- A cannabis retailer may operate up to five retail locations. However, No person, cooperative, or business may hold a license to own or operate more than one cannabis retail business in one city and three retail businesses in one county.
- A person, cooperative, or business holding a Cannabis Retailer License may also hold a cannabis delivery service license, a medical cannabis retailer license, and a cannabis event organizer license. It cannot hold or operate any other Cannabis Business.
- A restriction on the number or type of license a business may hold applies to every cooperative member or every director, manager, and general partner of a Cannabis Business. (This is potentially an issue for current Cannabis Business that appear to be very interconnected.)

Please note that there are different operational standards and limitations for Cannabis Businesses operating with a “retail operations endorsement”.

The bill establishes hours of operation for cannabis retailers, but it also provides that the City can, by ordinance, place further reasonable restrictions related to the hours of sale. The bill includes the following prohibited hours of operation:

- On Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
- Before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
- On Thanksgiving Day and Christmas Day; and
- After 8:00 p.m. on Christmas Eve, December 24.
- Any additional reasonable restriction on hours by the City.

Data Practices

The bill includes data practices provisions that expressly apply to the OCM and indirectly apply to the City. Application data submitted by an applicant for a Cannabis Business license or hemp business license, other than the specific data listed out in Minn. Stat. 342.20 is not public, as is the identity of a complainant who has made a report concerning a license holder or an applicant that

appears in inactive investigative data unless the complainant consents to the disclosure. Keep in mind, even though the OCM receives the application or may receive the complaint, the protection travels with the data, so if the City receives any of that data from the OCM, the applicant, or the complainant, then the data protection applies. Once an applicant for a Cannabis Business license or hemp business license becomes a license holder, most of the application data that the license holder had previously submitted to the office are public data with a few exceptions laid out in the statute.

Revenue Sharing/Local Government Cannabis Aid

The bill includes aid to local governments. With regard to cities, it provides:

- Beginning for aid payable in 2024, the amount available for aid to cities equals 50 percent of the amount certified in that year to the commissioner (balance of the local government cannabis aid account in the special revenue fund).
- The amount available “must be distributed proportionally to each city according to the number of Cannabis Businesses located in the city as compared to the number of Cannabis Businesses in all cities as of the most recent certification.
- Beginning in fiscal year 2025 and annually thereafter, the amount in the local government cannabis aid account in the special revenue fund is annually appropriated to the commissioner of revenue to make the aid payments.

The local government cannabis aid account is funded with state sales revenue. Specifically, the 10 percent state tax revenue is divided as follows:

- 80 percent to the general fund; and
- 20 percent to the local government cannabis aid account in the special revenue fund.

Additional Provisions

The following additional provisions are additional highlights of the bill:

- Liquor stores can sell lower-potency hemp edibles as defined in the statute as of the day after the Governor signs the bill.
- A cannabis event organizer must receive City approval, including obtaining any necessary permits or licenses issued by the City, before holding a cannabis event.
- Upon City approval, a cannabis event may designate an area for consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those items.
- As a general rule, structures must comply with local building and fire regulations.
- The bill creates a private cause of action for a “nuisance”, with relief being limited to injunctive relief and the “greater of the person’s actual damages or a civil penalty of \$250.”

- If a landlord or association “fails to enforce the terms of a lease, governing document, or policy related to the use of adult-use cannabis flower on the premises or property, a person who is injuriously affected or whose personal enjoyment is lessened by a nuisance . . . as a result of the failure to enforce the terms may bring an action against the landlord or association seeking injunctive relief and the greater of the person's actual damages or a civil penalty of \$500.”
- The bill includes a number of provisions for grants, and cities are eligible participants for many of the grants.
- The bill includes a number of regulatory provisions enforced by the State, including packaging, labeling, testing and advertising and has changed some of the regulations for display and labeling for the lower potency hemp retail sales.

HR Considerations.

There are employment/human resources provisions that trigger additional amendments to the City’s personnel policy, particularly since the bill requires a policy before an employer can implement regulations on employees related to the use of Cannabis Products. Considerations by cities as employers will include:

- Drug testing and how policies are written. The new bill redefines “drug” to not include specified cannabis products, separates out a newly created “cannabis testing” from “drug testing”, includes limitations to that cannabis testing, and, as confusing as it seems, lists the instances, based on type of job, when cannabis use can be treated as a “drug” for purposes of “drug testing” rather than a cannabis product subject to a “cannabis test”.
- Impact of the new law with respect to CDL holders.
- Impact of the new law with respect to safety sensitive employees.
- Impact of new law regarding statutory protection of off duty use of legal products under Minn. Stat. §181.938. The bill expands the protections to the new products considered legal under the new bill. However, the bill specifically states that nothing in the bill with respect to Section 181.938 limits an employer’s ability to discipline or discharge an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer during working hours, on work premises, or while operating an employer’s vehicle, machinery, or equipment, or if a failure to do so would violate federal or state law or regulations or cause an employer to lose a monetary or licensing-related benefit under federal law or regulations.

Scope of Personal Adult Use of Cannabis

Under the bill, personal use cannabis for a person 21 years of age or older is allowed as follows:

- Use, possess, or transport cannabis paraphernalia;
- Possess or transport **two ounces or less** of adult-use cannabis flower **in a public place**;

- Possess **two pounds or less** of adult-use cannabis flower in the individual's private residence;
- Possess or transport eight grams or less of adult-use cannabis concentrate;
- Possess or transport edible cannabis products or lower-potency hemp edibles infused with a combined total of 800 milligrams or less of THC;
- Gift, with no remuneration, to an individual who is at least 21 years of age:
 - two ounces or less of adult-use cannabis flower;
 - eight grams or less of adult-use cannabis concentrate; or
 - an edible cannabis product or lower-potency hemp edible infused with 800 milligrams or less of THC; and
- Use adult-use cannabis flower and adult-use cannabis products in the following locations:
 - **A private residence**, including the individual's curtilage or yard;
 - **On private property**, not generally accessible by the public, **unless the individual is explicitly prohibited** from consuming adult-use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
 - **On the premises of an establishment or event licensed to permit on-site consumption.**

A few other key takeaways .

- Individuals:
 - Cannot generally use in public. Indeed, a city may adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower or cannabis products in a public place provided that the definition of public place does not include the following:
 - a private residence, including the person's curtilage or yard;
 - private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower or cannabis products on the property by the owner of the property; or
 - the premises of an establishment or event licensed to permit on-site consumption.
 - Cannot use in a vehicle and cannot operate a vehicle while impaired (although enforcement of this may be tricky).
 - Cannot use it in schools.
 - Cannot use it in areas where smoking is prohibited.
 - Cannot “vaporize or smoke cannabis flower, cannabis products, synthetically derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor.”
- “A proprietor of a **family or group family day care program must disclose** to parents or guardians of children cared for on the premises of the family or group family day care program, if the proprietor permits the smoking or use of cannabis flower or cannabis products on the premises outside of its hours of operation. Disclosure must include posting

on the premises a conspicuous written notice and orally informing parents or guardians. Cannabis flower or cannabis products must be inaccessible to children and stored away from food products.”

- Up to **eight cannabis plants, with no more than four being mature**, may be grown at a single residence without a license to cultivate cannabis issued by the State provided that **cultivation takes place at the primary residence** of an individual 21 years of age or older and **in an enclosed, locked space that is not open to public view**.
- Extraction of cannabis concentrate using solvents not allowed without a license.
- The **sale** of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products without a license is **prohibited**.

Conclusion.

The Act is complex. The legalization of additional products, as well as the creation of a state licensing agency that has created thirteen (14) different types of new business licenses, disrupts existing laws, and creates unknowns. As staff moves forward, understanding OCM’s process and whatever ordinance the OCM recommends, as well as waiting for OCM’s clarification on certain provisions of the bill that are not clear, will provide invaluable insight into structure of ordinances, if any, that the City chooses to adopt.