

ORDINANCE NO. 2026-33R

AN ORDINANCE REQUIRING ODOR CONTROL STANDARDS FOR CANNABIS BUSINESSES, THEREBY AMENDING CHAPTERS 10 AND 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 10 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 10: ENVIORNMENTAL CONTROL

ARTICLE III: ODOR

§ 10.22 PURPOSE.

The purpose of this Article III is to mitigate odors generated from food or grease laden vapors and certain cannabis businesses that interfere with the public health, safety and general welfare of the community.

§ 10.25 CANNABIS BUSINESS REQUIREMENTS.

Cannabis cultivation, cannabis manufacturing, and cannabis combination business uses located within 150 feet of any abutting property zoned and used residentially, as measured from the location where the cannabis-related odor is exhausted to the nearest wall of a residential dwelling, must be equipped with an odor mitigation system and maintained according to the manufacturer's recommendations.

§ 10.26~~[5]~~ PENALTY.

Violation of any provision of this Article III shall be a misdemeanor. Civil penalties may also be issued pursuant to § 12.15 of the City Charter and § 1.19 of this city code. However, nothing in this Article III shall be constructed to limit the city's other available legal remedies for any violation of the law, including without limitation, criminal, civil and injunctive actions.

§ 10.27~~[6]~~ SEVERABILITY.

In the event that any section, subsection, sentence, clause or phrase of this article is for any reason held to be invalid by a court of competent jurisdiction, the invalidity shall extend only to the section, subsection, sentence, clause or phrase affected, and shall not affect the validity of the remaining portions of this article. The City Council hereby declares that it would have adopted the article and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.22 MEDICAL AND ADULT-USE CANNABIS BUSINESSES.

(d) ~~[Reserved.]~~ Odor mitigation. See § 10.25 for applicable standards.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed and adopted this 28th day of September, 2026.

/s/ Tim Busse

Mayor

ATTEST:

APPROVED:

/s/ Priyanka Rai

Secretary to the Council

/s/ Melissa J. Manderschied

City Attorney