

ORDINANCE NO. 4 - 2023

TOWNSHIP OF FAIRFIELD

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AN ORDINANCE CREATING CHAPTER \_\_\_\_\_ OF THE CODE OF TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY, ENTITLED "CANNABIS" SPECIFICALLY CREATING SECTION \_\_\_\_\_-1 ESTABLISHING A CANNABIS REVIEW BOARD

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WHEREAS, the Fairfield Township Committee seeks to regulate the approval of potential cannabis business uses within Fairfield Township ("Township" or "Fairfield"); and

WHEREAS, in regulating these uses, the Township seeks to protect the public health, safety and general welfare of the Township and its residents, business establishments and visitors; and

WHEREAS, in an effort to do so, the Township feels the creation of a Cannabis Review Board is necessary.

NOW, THEREFORE, BE IT ORDAINED by the by the Township Committee as follows:

**Section 1**

Chapter \_\_\_\_\_ of the Code of the Township of Fairfield, New Jersey is hereby created and is entitled "Cannabis."

Within Chapter \_\_\_\_\_, a Section \_\_\_\_\_ is hereby created and is entitled "Cannabis Review Board" and shall read as follows:

\_\_\_\_\_ Cannabis Application Review

A. Cannabis Review Board. There is hereby created a review board to be known as the "Cannabis Review Board", which shall serve as an advisory committee to the Township Committee of the Township of Fairfield (the "Committee"). whose duty it shall be to (i) review license applications for Class 1-6 cannabis businesses within the Township of Fairfield (ii) conduct hearings with the applicant and (iii) provide recommendation to the Committee for awarding licenses.

1. The purpose of the Cannabis Review Board is to assure the public health, safety and general welfare of the Township and its residents, business establishments and visitors and to provide a recommendation to the Committee for awarding licenses for a cannabis establishment within the Township of Fairfield.

2. The Review Board shall be comprised of the following members:

a) Two members of the Township Committee to be appointed by the Mayor for a one-year term which expires on December 31<sup>st</sup> of each year.

b) A resident of the Township to be appointed by the Mayor for one-year term which expires on December 31<sup>st</sup> of each year.

c) The Township's Administrator.

d) The Township's Code Enforcement Officer.

3. The Review Board and the action thereof are subject to the enabling authority of the State New Jersey "Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Personal Use Act"). If any provision of this section is found to be

inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall govern..

B. Classification of Licenses. The Township, subject to land use approval and State licensure, may issue municipal licenses to operate Class 1-6 cannabis businesses.

C. Administrative and municipal license application. In order to obtain a Township license, a prospective licensee must submit an application and the required fee and escrow to the Township Clerk's Office. The non-refundable application fee shall be \$1,000.00 and the escrow for professional review of application materials shall be \$1,000.00. The application must include:

1. Business Certification. Cannabis Business operators must submit a NJ Business License to operate within the State of New Jersey.

2. Resolution of Support. Prospective licensee must provide the resolution of support provided by the Township Committee.

3. State Licensure. Applicant must demonstrate proof of submission for state license. A Cannabis business must first obtain a license from the Cannabis Regulatory Commission. Such license must be in good standing during the entirety of the term of the business' operation with the Township. The applicant must follow the State licensing requirements set for in N.J.A.C 17:30 6.1.

4. Site Plan Approval. Applicants must obtain site plan approval from the Fairfield Township Planning Board and submit a copy of the resolution.

5. A summary of applicant's plan for storage of products and currency, physical security, video surveillance, security personnel and visitor management.

6. Applicant's willing commitment to the Community and its support for, by example, local cannabis education programs, local employment and job training, public safety programs,, etc.

7. Applicant's overview plans for security, reduction in noise, infrastructure, utilities, and odor control.

8. The applicant shall submit proof of financial capability to open and operate the cannabis establishment for which the applicant is seeking the Township's license. Standards for proof of financial capability shall be determined by the Township's CFO.

9. The applicant should submit all other information as outlined on the Township's Cannabis Application and the checklist to the Application.

D. The Cannabis Review Board shall receive and review all license applications for cannabis businesses and conduct a hearing with each applicant. The Board will review and provide recommendations to the Township Committee for a resolution awarding the applicant's cannabis license or deny the application.

E. A waiting list shall be kept of the applicants that's have gone through the hearing process.

**SECTION 2.** Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

**SECTION 3.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

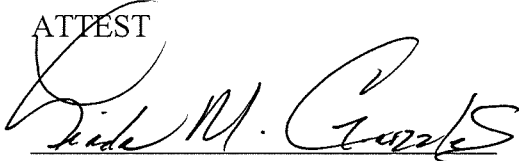
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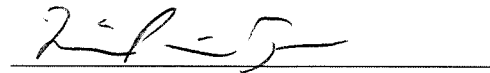
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COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted by the Township Committee of Fairfield Township after a public hearing on the 16th day of August, 2023.

ATTEST

  
Linda M. Gonzales, Municipal Clerk

  
Marvin Pierce, Jr., Mayor

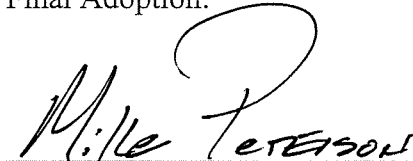
First Reading: August 2, 2023

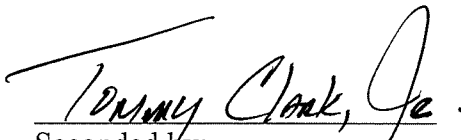
Publication on First Reading: August 7, 2023

Second Reading/Public Hearing: August 16, 2023

Publication on Second Reading: August 21, 2023

Final Adoption: August 16, 2023

  
Motion by:

  
Seconded by:

Vote:

Bateman ; Byrd ; Clark 201; Peterson 151; Pierce