TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 07-25

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 205 "CANNABIS BUSINESSES" SECTION 205-1 "PROHIBITED ACTS"

WHEREAS, the Township of Morris ("Township") is a municipal entity organized and existing under the laws of the State of New Jersey and located in Morris County; and

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16 known as the "New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act" ("CREAMMA"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession: and

WHEREAS, the law establishes six specific types of cannabis related businesses that may be licensed by the state and allows each municipality to determine whether or not each of these types of businesses shall be permitted within their municipal boundaries:

Class 1: Cannabis cultivator license, for a business or organization involved in the growth and cultivation of cannabis;

Class 2: Cannabis manufacturer license, for a business or organization that manufactures, prepares and packages cannabis items.

Class 3: Cannabis wholesaler license, for a business or organization which obtains and sells cannabis items for later resale by other licensees.

Class 4: Cannabis distributor license, for a business or organization which transports cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another.

Class 5: Cannabis retailer license, for a business or organization which sells cannabis items and related supplies to consumers.

Class 6: Cannabis delivery service license, for a business or organization which provides courier services for consumer purchases that are fulfilled by a licensed Cannabis Retailer in order to make deliveries of the purchased items to a consumer, and which services would include the ability of a consumer to make a purchase directly through the cannabis delivery service.

WHEREAS, CREAMMA authorizes municipalities to adopt by ordinance regulations governing the number of Cannabis Establishments, Cannabis Distributors and Cannabis Delivery services, except for the delivery of Cannabis items and related supplies by a Cannabis Delivery service based and initiated from outside of the municipality; and

WHEREAS, CREAMMA, authorizes municipalities to prohibit by ordinance the operation of any one or more classes of Cannabis establishments, distributors or delivery services anywhere in the municipality, except for the delivery of Cannabis items and related supplies by a delivery service based and initiated from outside of the municipality; and

WHEREAS, the Township adopted Ordinance No.21-21 entitled:

"AN ORDINANCE OF THE TOWNSHIP OF MORRIS IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY SUPPLEMENTING THE TOWNSHIP CODE WITH A NEW CHAPTER ENTITLED "CHAPTER 205, CANNABIS, PROHIBITION OF ALL CLASSES OF BUSINESSES" SO AS TO PROHIBIT THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHIN ITS GEOGRAPHICAL BOUNDARIES AND FURTHER TO SUPPLEMENT §95-8 ENTITLED "GENERAL REGULATIONS AND RESTRICTIONS" OF CHAPTER 95 ENTITLED "ZONING" OF THE CODE OF THE TOWNSHIP OF MORRIS SO AS TO PROHIBIT THE USE BY ANY CLASS OF LICENSED CANNABIS BUSINESSES UPON ANY PREMISES IN ANY ZONE IN THE TOWNSHIP OF MORRIS" on July 21, 2021 which prohibited all classes of Cannabis in the Township; and

WHEREAS, the Township hereby seeks to amend the aforementioned Ordinance to allow all classes of Cannabis business licenses within the Township as set forth herein; and

WHEREAS, the Mayor and the Township Committee of the Township of Morris have determined that such cannabis ordinance amendments are in the best interest of the Township and the health, safety and welfare of its residents and visitors.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Morris, in the County of Morris, and State of New Jersey, that Chapter 205 "Cannabis Businesses" is hereby amended as follows:

~~**§ 205-1Prohibited acts.**~~
~~Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16),[1] all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Township of Morris, except for the delivery of lawful cannabis items and related supplies by a delivery service to residents of the Township of Morris, only. This prohibition shall also apply to any part of this Township which may be under the jurisdiction or authority of any independent state agency, commission or authority, notwithstanding any state law to the contrary~~.

§205-1. Purpose.

The purpose of this chapter is to enable the Township of Morris to take effective action to assure that all cannabis-related business advance the requirements of their licensure as regulated by the State of New Jersey, by ensuring the citizens of the Township of Morris are provided ample opportunity to participate within this new industry while advancing community development initiatives, including but not limited to: public health, job training, enhanced recreational opportunities, drug prevention education, and social justice related programing and/or support thereof.

§205-2. Definitions

A. Cannabis - All parts of the plant Cannabis sativa L. within the plant family Cannabaceae, whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant; which are cultivated and, where applicable, manufactured for use in cannabis products.

B. Cannabis Business - An organization issued a license by the Township's Cannabis Advisory Board to operate as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, or cannabis dispensary; and only open to adult use of cannabis for persons 21 years and older.

C. Cannabis Cultivator - A building, structure, or premises used for the cultivation, production of cannabis in this state, and sells, and may transport, this cannabis to other cannabis cultivators or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 cannabis cultivator license.

D. Cannabis Delivery Service - Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 cannabis delivery license.

E. Cannabis Distributor - Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 cannabis distributor license.

F. Cannabis Manufacturer - Any licensed person or entity that processes cannabis items in this state by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 cannabis manufacturer license.

G. Cannabis Retailer (Cannabis Dispensary) - A retail facility that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufactures or cannabis wholesalers, and sells those to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. This person or entity shall hold a Class 5 cannabis retailer license.

H. Cannabis Wholesaler - Any licensed person or entity that purchases or otherwise obtains, stores, sells, or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 cannabis wholesaler license.

§205-3. Local Licensing Authority

A. A Township Cannabis Advisory Board (CAB) appointed by the Township's governing body will be tasked with reviewing all applications for cannabis establishments for the Township. Under all circumstances in which the Township is required to communicate with the Cannabis Regulatory Commission (CRC) or any other state agency with regard to the licensing of cannabis establishments, the exclusive authority for such communications shall be with the Township's Clerk's Office as recommended by the CAB and authorized by the Township's governing body.

B. Members of the CAB shall include, at a minimum, one member from the following categories:

   a. Mayor or designee;
   b. Township Administrator or designee;
   c. Township Engineer
   d. Morris Township Police Chief or designee;
   e. Township Planning Board Chair or designee;
   f. An additional Township Committee Member;
   g. Township Attorney

C. All cannabis business shall be subject to site plan review and approval by the Township's Planning Board.

D. Duties of the CAB will be to advise and recommend to the Township's governing body as to the issuance of cannabis licenses within the Township of Morris based upon the proposals submitted.

§205-4. Limitation on Cannabis Business

A. Cannabis businesses shall not be located within 250 feet of a school, childcare center or place of worship, as measured from property line to property line.

B. A cannabis business located West of Ridgedale Avenue in the Township shall not be located within 500 feet of a Residential Zone, as measured from property line to property line.

C. Any and all drive-through cannabis businesses shall be prohibited within the Township.

D. Any and all in cannabis businesses operated in a Residential Zoning District shall be prohibited; and all cannabis businesses operating as a home occupation shall be prohibited within the Township.

E. Cannabis businesses shall not be located and/or operated in and/or from a vehicle or any moveable or mobile structure.

F. Cannabis businesses shall be prohibited on any properties where a grocery store, delicatessen, local market, and/or other business is engaged in the retail sales of food, and/or alcoholic beverages are sold.

G. Standalone cultivation centers and manufacturing facilities are not included within this prohibition if the secured facility does not contain a cannabis dispensary or have public access and is otherwise properly situated in accordance within this chapter.The number of cannabis dispensaries located within the Township shall be limited to a maximum of two. Notwithstanding, the issuance of a cannabis permit is at the sole discretion of the Township's governing body and therefore is not required to issue any cannabis permit(s).

H. In the event more than one land use application for a cannabis dispensary, cultivation center or manufacturing facility of the same classification are submitted to the Township in close proximity to one another, and if the applications comply with all the requirements of this chapter and the Act, the Township is not permitted to approve all of the applications because of the limitations set forth in this section. The Township shall first review for approval the application that was first submitted and determined to be a complete and compliant application by the CAB.

§205-5. Permitted Locations.

Cannabis business shall be prohibited in all other zoning districts within the Township except those specifically permitted within Chapter 205, i.e., the CBO Cannabis Business Overlay Zone.

§205-6. Permitted Principal Uses.

A. The following are permitted principal uses in the CBO Cannabis Business Overlay Zone:

i. By a cannabis cultivator.

ii. By a cannabis manufacturer.

iii. By a cannabis wholesaler.

iv. By a cannabis distributor.

v. By a cannabis retailer.

vi. By a cannabis delivery service.

§ 205-7. Effectiveness.

Under no circumstances shall a local permit for a cannabis establishment issued through the Clerk be effective until or unless the state has issued the requisite licenses to operate such a facility. It is the intent of this chapter that no cannabis establishment may lawfully operate in the Township of Morris without the issuance of a state license and full regulatory oversight of the cannabis establishment by the Cannabis Regulatory Commission or other state licensing authority as well as the issuance of a cannabis business permit by the Township.

A. Classification of licenses. Consistent with the state classification of licenses, the Township, subject to local land use approval and/or zoning permit, and state licensure, may issue the following municipal permits to operate a cannabis establishment:

a. Class I: Cannabis Cultivator.
b. Class II: Cannabis Manufacturer.
c. Class II: Cannabis Wholesaler.
d. Class IV: Cannabis Distributor.
e. Class V: Cannabis Retailer
f. Class VI: Cannabis Delivery.

B. Issuance of municipal permits. The CAB shall set the number of local cannabis permits issued annually but may not exceed the total number of such permitted at any given time as set forth in this chapter. Notwithstanding, the maximum amount of application for state licensure that the Township shall consider endorsing for the first period (January __, 2025 to December 31, 2025), regardless of the maximum number set forth in § 205-3, is set forth as follows:

a. Class I: Cannabis Cultivator: 2
b. Class II: Cannabis Manufacturer: 2
c. Class II: Cannabis Wholesaler: 2
d. Class IV: Cannabis Distributor: 2
e. Class V: Cannabis Retailer: 2
f. Class VI: Cannabis Delivery: 2

§ 205-9. Application.

Persons wishing to obtain any classification of cannabis license shall file a license application with the CAB, on a standardized form established by the CAB and available in the Clerk's office once the Township has issued a request for proposals (RFP). The CAB shall establish a reasonable application period and deadline for all applications. Notwithstanding anything to contrary contained herein, the Township shall not be required to issue any Cannabis license to any applicant despite the availability of an available license. An application shall be deemed incomplete and shall not be processed by the Clerk and transmitted to the CAB, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

A. The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.

B. The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, antidiscrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

C. The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code with a conditional zoning permit required.

D. The applicant shall submit, to the satisfaction of the CAB, proof of financial capability to open and operate the marijuana establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be presented in strict confidence as determined by the requirements of the CRC.

E. The applicant shall submit a fee for the application for a conditional permit in the amount of $5,000.

F. Biannual registration fees. Upon obtaining a state license, cannabis business shall submit biannual registration fees of $10,000.

G. Upon receipt of a conditional Township cannabis license, the cannabis business shall enter into a contribution agreement with the Township when, upon receipt of a state license, will ratify the proposal put forth in the application. Such an agreement will include any and all proposed community programs, public service proposals, security, and mitigation of any community impacts agreed upon.

H. The applicant and the application shall otherwise comply with any, and all qualification standards set forth in the state and Township laws or regulations.

§ 205-10. Evaluation.

A. The CAB shall evaluate all applicants and may issue a recommendation of award after consideration and evaluation of the following criteria to the Township's governing body. A recommendation to issue an award of a cannabis permit by the CAB does not require nor obligate the Township's governing body to issue such a permit. The Township's governing body reserves all rights to use its discretion when considering the award of a cannabis permit and to deny such an application.

B. Presentation by applicant before the CAB is required. Each application should be reviewed within the confines of the license category being sought. For example, a retail dispensary should focus on customer service, marketing, branding and architectural presentation, and public access issues, while a cultivation, distribution, wholesale operation on security, job environment, truck access and loading, and security. Following are categories, in addition to potentially others, that may be considered by the CAB, if applicable, when reviewing each individual application. Applicants should provide responsive information and records, if applicable, as part of the applicant's submission for a cannabis permit within the Township.:

i. Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, health care, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State of New Jersey;

ii. Applicant's brand and proposal for the physical presence of the business, including but not limited to: the site's ability to meet all land use regulations (parking, landscaping, signage, etc.), architectural treatments, customer experience (where applicable);

iii. A summary of the applicant's operational plans, including, but not limited to, storage of products and currency, physical security, video surveillance, security personnel, and visitor management;

iv. Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a committed to a local program in collaboration with organizations committed to the well-being of residents, including but not limited to the Township and surrounding service area;

v. Summary of the applicant's environmental impact/mitigation, and sustainability plan; and/or whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability;

vi. Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices, The applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business.

C. Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal permit shall entitle the recipient applicant to pursue a state license in the requisite classification for up to 12 months, which may be extended in the CAB's discretion for an additional six months for good cause. No business may operate until the applicant has received a state license and satisfied other prerequisites of municipal permit. If the recipient of a notice of award and conditional permit has not received a state permit or license within 12 months from issuance, unless extended for good cause, the Administrator shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.

D. Term of permit and permit renewals.

i. Any local permit issued pursuant to this chapter that receives a State Cannabis License to operate shall be valid for a period of two years from the date of state issuance and shall be renewed in accordance with the provisions of this chapter.

ii. The CAB may, at its discretion, adjust the renewal date of the local license to correlate with an applicant's state licensing and renewal schedule.

iii. Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed in addition to any history of property maintenance and zoning code violations.

iv. Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premise shall be subject to the Township's governing body's review and approval.

v. Except where the CAB has received a complete renewal application along with the requisite fees, and has issued a license renewal, it shall be unlawful for any person to continue any form of cannabis business in connection to any license past the expiration date of the issued license.

§ 205-11. Mobile delivery of cannabis products.

Cannabis products may be transferred or delivered, consistent with the requirements of CREAMMA. Mobile facilities shall not be permitted unless expressly authorized under CREAMMA or permitted by the Permitting Authority and approved by special permit by the Township.

§ 205-12. Operation of multiple cannabis businesses at single location.

A person may vertically integrate a facility permitted by this chapter at a single location as long as it is in full compliance with the requirements of CREAMMA and any Zoning Ordinances, if part of an academic research school, and/or cannabis training or mentorship program, multiple licenses may be permitted at a single location as long as it is in full compliance with the requirements of CREAMMA and any Zoning Ordinances.

§ 205-13. Requirements applicable to all cannabis businesses.

A. Samples of cannabis products offered for sale may be displayed on shelves, counters, and display cases. All bulk cannabis products shall be locked within a separate vault or safe, with no other items in the safe, securely fastened to a wall or floor, as coordinated with the Morris Township Police Department and allowable under Permitting Authority regulations and state legislation.

B. Signage.

i. External signage, including window signage, must be limited to text identifying the business and the logo for the business, provided that said logo does not include a cannabis plant leaf and/ or outward glorification of cannabis consumption, where applicable.

ii. No signs shall be displayed containing images of cannabis plants and/or images intended to promote consumption of legal marijuana products.

iii. Signage for cannabis businesses shall be in accordance with the requirements contained in Chapter 95, Article VI, Sections 42 and 44.

C. Security and reporting.

i. Surveillance system.

a. Cannabis establishments shall be monitored at all times by closed-circuit television surveillance system. Security cameras shall be in use 24 hours per day, seven days per week, and shall cover all cannabis dispensing areas, storage areas, all doors and windows with access into the cannabis establishment, parking areas, if applicable, and any other areas not mentioned if deemed necessary by the Chief of Police or his/her designee. The surveillance system must be capable of providing surveillance of both interior and exterior areas of the cannabis establishment and must be of adequate quality, color rendition and resolution to allow the ready identification of an individual on or adjacent to the site.

b. The security cameras must be internet protocol (IP) cameras capable of providing real time footage over the internet. Operators must provide the Morris Township Police Department with access to this real-time camera footage in case of an emergency.

c. The recordings shall be maintained at the cannabis operation for a period of not less than 30 days and shall be provided to the Morris Township Police Department within 24 hours of a written request from the Police Department for any recordings.

ii. Outside areas of the premises and the perimeter shall be lit in accordance with Township regulations and all doors are equipped with motion-sensor lights.

iii. The Morris Township Police Department shall be provided with the name and phone number of a staff person to notify during suspicious activity during or after operating hours.

iv. Security staff is required on the premises during all hours of operation.

v. The premises must only be accessed by authorized personnel and free of loitering.

vi. All cultivation of cannabis shall take place in an enclosed, locked facility.

vii. Storage of currency. All currency over $1,000 shall be stored within a separate vault or safe, not used for the storage of medical cannabis, securely fastened to a wall or floor, as approved by the Morris Township Police Department.

viii. Cannabis establishments shall comply with all security requirements as established by state law and regulations, as they may be updated from time to time, in addition to coordination with the Morris Township Police Department.

D. No products to be visible from public places. Cannabis plants, products, accessories, and associated paraphernalia contained in any cannabis business shall not be visible from a public sidewalk, public street or right-of-way, or any other public place.

E. No beer or alcohol on premises. No fermented malt beverages and no alcoholic beverages shall be kept, served, or consumed on the premises of a cannabis business.

F. Storage of products. All products and accessories shall be stored indoors and samples of cannabis products offered for sale shall be displayed on shelves, counters or display cases. All bulk cannabis products shall be located within a separate vault or safe, with no other items stored in the vault or safe, securely fastened to a wall or the floor.

G. Cannabis consumption areas. No consumption or smoking of any cannabis products shall be allowed or permitted on the premises or adjacent grounds of a cannabis business.

H. Prevention of emissions and disposal of materials.

i. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids, and other substances from exiting the cannabis business premises shall be provided at all times. In the event that any debris, dust, fluids or other substances shall exit the business premises, the property owner and operator shall be jointly and severally responsible for the full cleanup immediately.

ii. Businesses shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with state regulations.

iii. As applicable, cannabis businesses shall be equipped with ventilation systems with carbon filters sufficient in type and capacity to eliminate cannabis odors emanating from the interior to the exterior of the premises discernible by reasonable persons. The ventilation system must be inspected and approved by the Construction Official.

iv. If carbon dioxide will be used in any cultivation area, sufficient physical barriers or a negative air pressure system shall be in place to prevent carbon dioxide from moving into the ambient air, into other units in the same building or into an adjacent building in a concentration that would be

harmful to any person, including persons with respiratory disease and shall be inspected and approved by the Construction Official and the Fire Marshal.

v. All state regulations concerning ventilation systems shall be followed.

I. Compliance with other codes. Any cannabis business and the adjacent grounds of the cannabis business shall comply with all zoning, health, building, fire, and other codes and ordinances of the Township as shown by completed inspections and approvals by the Township Planner, Construction Division, Fire Safety Division, and the Township Health Department, if applicable.

J. No harm to public health, safety, or welfare. The premises of a cannabis business, and any adjacent grounds thereto, shall be operated in a manner that does not cause any substantial harm to the public health, safety, and welfare.

K. Additional requirements. At the time a site plan approval is granted, amended, or a major change to a cannabis business is approved, the Township may impose on the applicant any condition related to the proposed use that is reasonably necessary to protect the public health, safety or welfare, not inconsistent with the Permitting Authority requirements, including but not limited to the following:

i. Additional security requirements;

ii. Limits and requirements on parking and traffic flows;

iii. Requirements for walls, doors, windows, locks and fences on the premises and adjacent grounds;

iv. Limits on cannabis products that may be sold;

v. Requirements and limits on ventilation and lighting;

vi. Limits on noise inside the licensed premises or on the adjacent grounds;

vii. Prohibitions on certain conduct in the cannabis business;

viii. Limits on hours of operation.

L. Penalty for violation. Any violation of the conditions of the Township's Zoning Code, by a cannabis business shall be punishable by a civil fine of up to $1,000. Each day that a violation is committed, exists, or continues shall be deemed a separate and distinct offense. In addition, any violation of any conditions imposed by the Zoning Code of the Township, may result in the revocation of the cannabis business permit.

M. Relationship to any redevelopment plan, and the Township zoning and site plan standards. To the extent any provisions of the Township redevelopment plans, zoning and site plan standards conflict with this section, the provisions and standards of this section shall control.

§ 205-12. Disciplinary actions; sanctions; violations and penalties.

A. Disciplinary actions. Procedures for investigation of permit violations and for suspension, revocation, or other permit sanctions as a result of any such violation shall be as follows:

i. First offense: up to $250 per violation per day;

ii. Second offense: up to $500 per violation per day;

iii. Third violation shall result in summary suspension.

B. Summary suspension. Notwithstanding the foregoing section, when the CAB has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the CAB may enter a summary suspension order for the immediate suspension of the permit and notice to the Cannabis Regulatory Commission pending further investigation.

i. The summary suspension order shall be in writing and shall state the reasons therefor. The licensee shall be afforded an opportunity for a hearing as outlined herein.

ii. The CAB shall convene a review panel. The hearing shall be scheduled within 30 days of the date of the order.

iii. The review panel is authorized to impose any fines, conditions, restrictions, suspensions, or combination thereof authorized by the State of New Jersey. In the absence of state-specified penalties, the Township may issue fines up to, but not to exceed, $2,500 per offense and/or suspension of license for a period not to exceed six months.

C. Inactive licenses. Following the commencement of retail sales of cannabis or cannabis products, the Administrator may suspend or revoke any permit if a licensed premises have been inactive or unoccupied by the licensee for at least six months.

D. State license. The CAB may suspend or revoke any permit if the corresponding state license for the subject location is expired, surrendered, suspended, or revoked.

§ 205-13. Monies collected to be used exclusively for township's capital budget.

All monies collected by the Township relative to the issuance of licenses and taxes collected on revenues shall only be used for the Township's Capital budget.

The foregoing is a true copy of a bond ordinance introduced and adopted on first reading by the governing body of the Township of Morris on February 19, 2025.

TOWNSHIP OF MORRIS

Donna J. Guariglia, Mayor

ATTEST:

Suzanne Walsh, Township Clerk

INTRODUCTION: February 19, 2025.
ADOPTION: March 19, 2025