

CITY OF VINELAND, NJ

ORDINANCE NO. 2024- 47

ORDINANCE AMENDING ORDINANCE 2022-89, AS AMENDED, CHAPTER 266, ARTICLE I, SECTION 266-3 OF THE CODE OF THE CITY OF VINELAND ENTITLED LICENSING, APPLICATIONS, QUALIFICATIONS AND STANDARDS.

WHEREAS, on July 13, 2021, City Council adopted Ordinance 2021-42, as amended, establishing cannabis businesses in the City of Vineland and set forth licensing parameters, including licensing fees and evaluation and award of applications; and

WHEREAS, as it appears there are several cannabis businesses that have been issued a conditional municipal license that have not pursued completion and operation of the cannabis business and has caused the license to be stagnant without any product being grown, manufactured and or sold which also prevents the City from issuing the said license to another business ready and willing to commence operations; and

WHEREAS, in order to assure potential companies that have been issued conditional municipal licenses actively pursue operations it is necessary to reduce the time within which the applicant has to commence operations from one year to 6 months and require the license fee to be paid immediately and be non-refundable to cover some of the lost revenue the City would have realized in anticipated taxes, job creation and economic development.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 22-89 Chapter 266, Article I, Section 266-3 of the Code of the City of Vineland entitled Licensing, Applications, Qualifications and standards be amended as follows:

1. Section 266-3B (2) shall be amended by deleting the first sentence and replacing as follows:

(2) The applicant shall submit all annual registration fees required in accordance with the following fee schedule, which shall be paid upon receipt of a conditional license approval from City Council after evaluation and award as set forth in Section (2) C below, or the receipt of an annual municipal license renewal application. Conditional municipal license and renewal license fees are non-refundable.

2. Section 266-3B shall be amended by the addition of the following subsection:

(4) Failure to submit the license fee immediately upon the granting of a annual license renewal or conditional municipal license shall cause the award or renewal to be void without further action.

3. Section 266-3C (3) shall be deleted in its entirety and replaced as follows:

(3) Notwithstanding the RFP process herein above specified, a notification of a conditional municipal license award shall entitle the recipient applicant to pursue a state and municipal annual license in the requisite license classificataion. Such conditional municipal lieense approval shall remain valid for not more than six (6) months, which may be extended for an additional three (3) months for good cause in the Governing Body's sole discretion. No cannabis business may operte in the City of Vineland unless they have received a state annual license, executed a host community agreement, satisfied all other prerequisites of the municipal license including, but not limited to, site plan approvals and compliance with all state and local laws and regulations.

4 Section 3D (1) shall be deleted in its entirety and replaced as follows:

(1) Unless otherwise suspended or terminated in accordance with this article, any local annual license issued pursuant to this article shall be valid for a period of one year from the date of issuance and may be renewed in accordance with the provisions of this article.

BE IT FURTHER ORDAINED that any Ordinance or portion thereof inconsistent with the terms of this Ordinance is void to the extent of such inconsistencies.

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BE IT FURTHER ORDAINED that should any portion of this ordinance be deemed unenforceable by a court of competent jurisdiction, the balance hereof shall remain in full force and effect.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading: August 13, 2024

Passed final reading: August 27, 2024

President of Council eaa

Approved by the Mayor:

Acting Mayor red,jr

ATTEST:

Deputy City Clerk rgf