

ORDINANCE #2022-6

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER 5 “GENERAL LICENSING AND BUSINESS REGULATIONS”, SECTION 5-17 “CANNABIS BUSINESS LICENSES” OF THE CODE OF THE BOROUGH OF KEYPORT

WHEREAS, the Borough of Keyport (the “**Borough**”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, Chapter 5 “General Licensing and Business Regulations, Section 5-17 “Cannabis Business Licenses” of the Code of the Borough of Keyport (the “**Code**”) regulates the cultivation, production, sale, and transportation of cannabis in the Borough in accordance with the provisions of the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" comprising *N.J.S.A. 24:61-31 et seq.*, and in accordance with the rules and regulations of the Cannabis Regulatory Commission; and

WHEREAS, after reviewing the costs incurred by the Borough in relation to the cannabis business license review process, the Borough has determined that a refund of the application fee for unsuccessful cannabis business license applicants should be revised to take into consideration the municipal costs and expenses involved with the license review process; and

WHEREAS, the Mayor and Borough Council have determined to amend Chapter 5, Section 5-17 of the Code to read as follows (additions are underlined and deletions are denoted by ~~strikethrough~~):

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

Section 5-17 Cannabis Business Licenses.

d. **Cannabis Business License Conditions.** In order to be granted a business license for the operation of any Cannabis Business the following conditions must be satisfied:

7. Submission of application fee of Five Thousand (\$5,000.00) Dollars. ~~The Borough shall refund eighty (80%) percent of the application fee for any applicant not granted a license.~~

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Chapter 5, Section 5-17 of the Borough Code shall be amended as set forth above.

Section 3. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 5. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 6. This ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Introduced: March 1, 2022
Public Hearing: March 15, 2022
Adopted:

Michele Clark, RMC
Borough Clerk
Borough of Keyport

Collette J. Kennedy, Mayor
Borough of Keyport