

ORDINANCE NO. 2023-09

ORDINANCE OF THE BOROUGH OF MOUNT EPHRAIM, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE BOROUGH OF MOUNT EPHRAIM CODE AT PART II, GENERAL LEGISLATION, CHAPTER 86, "CANNABIS" TO ESTABLISH SECTION 86-3, TO IMPOSE APPLICANT AND ANNUAL LICENSING FEES ON CLASS V RETAIL CANNABIS APPLICANTS/LICENSE HOLDERS

WHEREAS the Borough of Mount Ephraim, ("Borough") is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS the Borough repealed and replaced its Cannabis "opt out" ordinance (Ordinance No. 2021-07), codified at Part II, General Legislation Section 86-1, in order to allow for Class V licensed cannabis retail sales as a conditional use within the C-Commercial Zoning District by Ordinance 2023-06, adopted April 6, 2023; and

WHEREAS the Borough desires to impose an application fee and annual licensing fee for Class V cannabis applicants/license holders to reimburse it for administrative costs and police background checks associated with municipal regulation of a cannabis business and enforcement with compliance to local ordinances and State Law; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Borough of Mount Ephraim, County of Camden, and State of New Jersey that the Code of the Borough of Mount Ephraim be amended as follows:

SECTION 1. Part II, General Legislation, Chapter 86 "Cannabis" is hereby amended and supplemented as follows:

§ 86-3 Cannabis Application Fees and Annual Licensing Fees.

- A. Any Class V Cannabis License applicant shall pay a nonrefundable application fee of \$2,500.00 to the Borough of Mount Ephraim upon the filing of an application to obtain a Resolution of Support from the Mount Ephraim Commissioners for a Class V Cannabis License.
- B. Any Class V Cannabis Licensee in the Borough of Mount Ephraim shall pay an annual licensing fee of \$1,000.00 upon the issuance of a license from the New Jersey Cannabis Regulatory Commission and annually thereafter.

SECTION 2. Nothing in this Ordinance shall in any way limit, modify, reduce or eliminate any other tax obligation otherwise imposed by law upon the cannabis license holder, the property owner or any other person or entity as a result of this Cannabis Municipal Tax.

SECTION 3. All Ordinances contrary to the provisions of this section of the Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4. This ordinance shall take effect immediately.

BOROUGH OF MOUNT EPHRAIM

Date of Introduction: May 4, 2023

Date of Adoption: July 6, 2023

Approved: _____
Mayor Michael Tovinsky

Attest: _____
Terry Shannon, Clerk/RMC

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