

First Reading:	03-07-2024
Publication:	03-14-2024
Second Reading:	03-21-2024
Publication:	03-28-2024

ORDINANCE NO. 2772

AN ORDINANCE AMENDING CHAPTER 4, SECTION 11, SUBSECTION 2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "LOCAL LICENSE REQUIRED"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 4, Section 11, Subsection 2 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendments to Cannabis Review Board Composition

§ 4-11.2 Local License Required.

- a. Pursuant to the authority granted by N.J.S.A. 24:61-45(c)(2), no person or entity shall operate a Cannabis Business in the Borough without obtaining a local license pursuant to this Section. For the purposes of the foregoing Section of the Municipal Code, a "Cannabis Business" shall be that which is defined within § 40-601 and otherwise restricted and permitted by the municipal zoning provision of Chapter 40. No local license shall be valid unless a license is also issued to the applicant by the State of New Jersey in accordance with the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act.
- b. A local Cannabis Review Board, comprised of members as enumerated below, will act as the local review body of the Borough for all Cannabis Businesses. However, the authority and responsibility to activate, suspend, **renew** and revoke such licenses shall remain with the governing body of the Borough of Roselle Park subject and conditional to Land Use approvals and State licensure. Under all circumstances which State law requires communication to the Borough by the Cannabis Regulatory Commission, or any other State agency with regard to the licensing of Cannabis Businesses by the State, or in which State law requires any review or approval by the Borough of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be communicated through the Office of the Borough Clerk upon recommendation by the Cannabis Review Board and as authorized by the governing body.
 1. The Cannabis Review Board shall consist of ~~five (5)~~ **seven (7)** members and include the following:
 - (a) The Mayor;
 - (b) The Chief Administrative Officer;
 - (c) The Chief of Police;
 - (d) The Zoning Officer;
 - (e) The Class II Member of the Municipal Land Use Board;
 - (f) **A member of the Borough Council formally appointed by Council on an annual basis;**

(g) A member of the public appointed by the Mayor.

2. The Mayor shall serve as the Chairperson of the Cannabis Review Board.
 3. No member of the Cannabis Review Board may hold interest in or be related to an applicant. In either circumstance, the Board Member must recuse themselves from the applicant's review.
 4. The Cannabis Review Board shall be supported by the Borough Attorney, and other professionals and employees of the Borough as may be required from time to time.
 5. The Cannabis Review Board is hereby designated to act as the local licensing application review board for the Borough of Roselle Park for all Cannabis Businesses.
- c. The Borough shall issue no more than three (3) local licenses for Class 5 Cannabis Businesses. Local licenses for Class 1, Class 2, Class 3, and Class 4 Cannabis Businesses shall be issued at the discretion of the Borough. No local licenses for Class 6 Cannabis Businesses shall be issued.

SECTION 2. Invalidation

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3. Inconsistent Ordinances Repealed.

All Ordinances or parts of Ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text, ~~thusly~~, should be considered a deletion from Borough Code, and all bolded text, **thusly**, should be considered an addition to Borough Code.

SECTION 5. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

Introduction: March 7, 2024

Adoption: March 21, 2024

Attest: _____
Donna L. Corrigan
Deputy Borough Clerk

Joseph Signorello III
Mayor

Record of Vote – Introduction				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Johnson	X			
Signorello	X			
Robaina	X			
Lyons	X			
Patel	X			

Record of Vote – Adoption				
	Aye	Nay	Abstain	Absent
Petrosky	X			
Johnson	X			
Signorello	X			
Robaina	X			
Lyons	X			
Patel	X			

Copy To: All Clerk's Office Staff, All Cannabis Review Board Members.