

ORDINANCE NO. 2024- 31

**ORDINANCE AMENDING ORDINANCE 2021-42,
CHAPTER 266, ARTICLE I ENTITLED CANNABIS
ESTABLISHMENTS**

WHEREAS, on July 13, 2021, City Council adopted Ordinance 2021-42 authorizing and establishing cannabis businesses within the City, including Class VI Cannabis Delivery Licenses; and

WHEREAS, at Section 266-2 City Council set forth minimum requirements for cannabis establishments, including a requirement for carbon filters for odor mitigation at Section 266-2D but wishes to ensure that only the “best practices” are implemented, whether such practices have improved from carbon filters; and

WHEREAS, at Section 266-3A(3) the maximum number of licenses for each class of cannabis business is specified but failed to establish the maximum number for Class VI Cannabis Delivery Licenses; and

WHEREAS, at Section 266-3B(2) the fee for each annual registration is set at \$15,000.00 but failed to establish the annual registration for Class VI Cannabis Delivery Licenses; and

WHEREAS, Council intends upon correcting and clarifying the omissions.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 2021-42, as amended, Chapter 266, Article I be amended as follows:

Section 266-2D shall be deleted in its entirety and replaced as follows:

- D. Odor. Cannabis establishments shall have equipment to mitigate odor utilizing best practices available during each licensed period to assure odor is not a nuisance to the surrounding community. A building for a cannabis establishment shall be equipped with, at the minimum, a ventilation system with carbon filters sufficient in type and capacity to mitigate cannabis odors emanating from the interior of the premises, however should a better filtration system be available, such new system shall be utilized. Cannabis cultivation and manufacture facilities shall include sealed room designs and air purifier systems among other odor elimination methods to assure odor does not escape from the facility.

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

- (3) Maximum number of licenses. The City may issue not more than five Class I Cannabis Cultivator licenses; not more than five Class II Cannabis Manufacturer licenses; not more than five Class III Cannabis Wholesaler licenses; not more than five Class IV Distributor licenses; not more than two Class V Cannabis Retailer licenses and not more than two Class VI Cannabis Delivery licenses. Licensure in all classes may be, but are not required to be, held by the same entity or individual, but an entity may not hold more than one Class V Cannabis Retailer license. Any license conditionally issued by the City is not contingent upon the locally licensed entity’s or individual’s subsequent receipt of a state license or permit of the same Class or type of regulated cannabis activity. Under no circumstance shall a local permit or conditional license for a cannabis establishment issued through the City be effective until the State has issued the requisite license to operate such a facility.

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

(f) Class VI: \$15,000.00 per year cannabis delivery license.

BE IT FURTHER ORDAINED that any portion of Ordinance 2021-42, as amended, Chapter 266, Article I not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that should any court of competent jurisdiction determine that any portion of this Ordinance be unenforceable, the balance thereof shall remain in full force and effect.

BE IT FURTHER ORDIANED that should any ordinance or portion thereof be inconsistent herewith, that portion shall be deemed void to the extent of such inconsistency.

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

Passed first reading: may 14, 2024

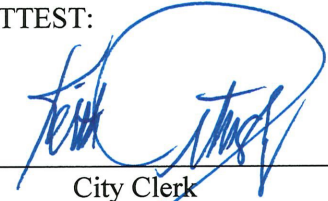
Passed final reading: May 28, 2024

Approved by the Mayor: June 3, 2024

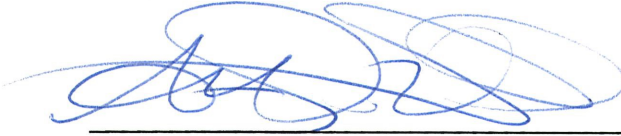


President of Council eaa

ATTEST:



City Clerk kp



Mayor arf