

The New Jersey League of Municipalities and the New Jersey Planning Officials Present:
Municipal Guidance: Responding to the New Cannabis Law
April 9, 2021
11:00am-12:15pm
Your Computer

The Webinar will provide answers as to the choices a municipality faces, and the potential ordinances Municipalities must create, based upon P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”). The Act is comprehensive and detailed. Topics of discussion will include:

- Overview of the Act
- Time to act
- **Types of Licenses:** Issued annually by the Cannabis Regulatory Commission (“Commission”), as follows:
 - **Class 1 Cannabis Cultivator License**, for facilities involved in growing and cultivating cannabis; Indoor farming
 - **Class 2 Cannabis Manufacturer License**, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
 - **Class 3 Cannabis Wholesaler License**, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
 - **Class 4 Cannabis Distributor License**, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
 - **Class 5 Cannabis Retailer License**, for locations at which cannabis items and related supplies are sold to consumers
 - **Class 6 Cannabis Delivery License**, for businesses providing courier services for consumer purchases fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service to be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer
- **Personal Use Cannabis Handlers/Transportation of Cannabis and Cannabis Items**
 - License application process
 - Enactment of Zoning/Police Power Ordinances and Regulations and Establishment of Civil Penalties
 - A municipality may, by ordinance, prohibit the operation of one or more classes of cannabis establishment or cannabis distributors or cannabis delivery services but may not prohibit the transportation of cannabis items and related supplies by a delivery service within the jurisdiction of the municipality
 - The legislation mandates that any class of cannabis establishment, cannabis distributor or cannabis delivery service not prohibited to operate in the municipality to be a permitted use in all industrial zones of a municipality, and the selling of cannabis items to consumers from a retail store by a cannabis retailer shall be a conditional use in all commercial zones or retail zones
 - Municipal zoning designation shall give consideration to areas designated as “impact zones” under the legislation, fulfilling the MLUL “health, safety and welfare purpose of zoning under N.J.S.A. 40:55D-2(a)
 - Zoning regulation should also incorporate strictures for reasonable time (hours of operation) place and manner, protection of peace and quiet enjoyment of neighboring businesses and properties and enforcement.
 - Municipality may authorize, by ordinance, the authorization of cannabis consumption areas

- Marketplace regulation
- At the end of a five-year period following the initial failure of a municipality to enact an ordinance prohibiting the operation of one or more categories of cannabis establishment, cannabis distributors, or cannabis delivery services, and every five-year period thereafter following a failure to enact a prohibiting ordinance, the municipality shall again be permitted to prohibit the future operation of any one or more classes of cannabis establishment, cannabis distributors or cannabis delivery service during a new 180 day period, but the ordinance shall be prospective only
- Applications for permits with the Commission, shall receive confirmation from the municipality that the application complies with local restrictions
- Commission decisions may be appealed under the provisions of the Administrative Procedure Act
- Nothing in the new legislation shall limit the rights of a registered qualifying patient, designated or institutional caregiver, or alternative treatment center as provided in the Compassionate Use Medical Cannabis Act concerning the use of medical cannabis products
- Business treatment of Cannabis establishments, distributors and delivery services
- Tracking system
- Optional Social Equity Excise Fee
- Municipal taxes; Local Cannabis User Tax and Transfer Tax
- Amendment of other civil and criminal statutes dealing with Cannabis to reflect enactment of the Act

Schedule:

11:00am-12:15am- Webinar Topic and Discussion

Presenters:

- F. Clifford Gibbons, Esq Law Firm of Dolan & Dolan
- Dennis M. Galvin, Esq Partner ,Law Firm of Davison ,Eastman , Muñoz & Paone, P.A.

REGISTRATION FEE:

Member Rate: \$45.00*

Non-Member: \$65.00

Member rate applies to: Municipalities, State, County, and Municipal Utilities & Authorities.

To Register:

-Visit www.njlm.org/seminars

-Select the date you are attending

-Download registration form, complete and either e-mail it to dbijou@njlm.org or fax it with your voucher to (609) 695-0151

Questions about registering – contact Donna Bijou dbijou@njlm.org or

609-695-3481 extn 111

CEU's –CMFO-1.5 Off Mgmt/Anc; CTC-1.5 Gen/Sec ; CPWM-1.5 Govt; RMC-1.5 Prof Devel; QPA-1.5 Off Admin/Gen Duties; CPA-1.5 Fin; RPPO/RPPS-1.0 M/S; Planning Board Secretaries-1.0 Tech, Zoning Officials-1.0 Tech, and Land Use Administrators-1.0 Tech; NJCLE-1.5, PACLE-1.0; APA-pending; Local Government Leadership Program-3.0points

**Please note, PACLE courses require the attendee to pay a separate fee (not including registration fees) to obtain credits. PACLE credit forms can be downloaded from the League Calendar page: <http://www.njlm.org/seminars.html>*

IN CASE OF INCLEMENT WEATHER OR CANCELLATION: We will announce emergency seminar or webinar cancellations via recorded announcement on our Weather Hotline: 609-695-3481 ext. 200 and post announcements on our website www.njlm.org Facebook page [facebook.com/njleague](https://www.facebook.com/njleague), and Twitter [@NJ_League](https://twitter.com/NJ_League) after 6:00am on the morning of the meeting.