

**TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY**

ORDINANCE NO.

ORDINANCE OF THE TOWNSHIP OF HOPEWELL PERMITTING THE OPERATION OF CLASS 1 CULTIVATION AND CLASS 2 MANUFACTURING BUSINESSES IN CERTAIN ZONES, WITH CONDITIONS, AND PROHIBITING THE OPERATION OF ALL OTHER CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND ADDING CHAPTER 24, AND AMENDING CHAPTERS 10 AND 17 OF THE CODE OF THE TOWNSHIP OF HOPEWELL

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- 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 one 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; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are 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 which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, Section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 21, 2021); and

WHEREAS, pursuant to Section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, on June 28, 2021, the Hopewell Township Committee introduced a proposed ordinance which would have prohibited all classes of cannabis businesses in all zones of the municipality;

WHEREAS, pursuant to N.J.S.A. 40:55D-26a, the Township Committee referred the Ordinance to the Hopewell Township Planning board to identify any provisions in the Ordinance which were inconsistent with the Master Plan, and to make recommendations regarding same;

WHEREAS, at the Hopewell Township Planning board’s regular meeting on June 24, 2021, the Planning Board reviewed the ordinance and adopted Planning Board Resolution No. 21-012, which concluded, in part, the following:

6. ... Board members expressed concern over the prohibition of cultivation in the ordinance and the Master Plan’s support of agriculture within the Township, more specifically, Ordinance 17-147, which provides that farms and other agricultural uses are permitted as principal uses in all districts of the Township, which ordinance includes the growth and cultivation of crops, etc.

7. Based on the concerns expressed in finding #6 hereinabove, the Planning Board finds the ordinance to be inconsistent with the master plan, however recommends that the Township committee approves the ordinance in order to maintain control over introducing this form of agriculture to the township.

8. Should the Township Committee pass the ordinance as written, the Planning Board recommends prompt action, as quickly as possible, to consider an ordinance amendment defining cannabis growth and cultivation practices that would be consistent with the State Right to Farm Act and Section 17-147 (Farms and Agricultural Uses) of the Hopewell Township Land Use Development Ordinance.; and

WHEREAS, upon consideration of the Planning Board’s recommendation, the Hopewell Township Committee has determined that the Township should permit cannabis cultivation and manufacturing activities, subject to certain conditions; and

WHEREAS, the Township Committee’s research shows that processing of the cannabis plant (which the Act designates as “manufacturing”) is compatible with cultivation activities; and

WHEREAS, the Act prohibits certain types of license holders from holding multiple licenses, but the Act permits a Class 1 Cannabis Cultivator to concurrently hold a Class 2 Manufacturing license; and

WHEREAS, to ensure that the Township’s interests with respect to the Act are fully protected, both the Township’s general “police power” ordinances and land use ordinances shall be amended.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hopewell, in Mercer County State of New Jersey, as follows:

SECTION I.

Chapter 24, entitled “Cannabis,” shall be added to the Township Code.

New Sections in Chapter 24 shall be added to the Code of the Township of Hopewell as follows:

§ 24-1 Cannabis Wholesalers, Distributors, Retailers and Delivery Services Prohibited. Cannabis wholesalers, distributors, retailers and delivery services, as said terms are defined in section 3 of P.L. 2021, c. 16 (“New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”) shall be prohibited in all zones in the municipality, but the delivery of cannabis items and related supplies by a delivery service is permissible.

§ 24-2 Cannabis Cultivators and Manufacturers Permitted.

a. Cannabis cultivators and manufacturers, as said terms are defined in section 3 of P.L. 2021, c. 16 (“New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”), shall only be permitted uses in the Township as set forth in this Chapter and in Chapter 17.

b. The number of cannabis businesses in the Township shall not exceed one (1). A single entity that holds both a cannabis cultivator license and a cannabis manufacturer license shall be permitted, so long as it is on the same premises.

§ 24-3 DEFINITIONS

CANNABIS - All parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L.2021, c.16 (C.24:6I-31 et al.) for use in cannabis products, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

CANNABIS BUSINESS - Any person or entity that holds any of the six Classes of licenses established under P.L. 2021, c. 16, the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS CULTIVATOR - Any licensed person or entity that grows, cultivates, or produces cannabis, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 Cannabis Cultivator license.

CANNABIS DELIVERY SERVICE - Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 Cannabis Delivery license.

CANNABIS DISTRIBUTOR - Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 Cannabis Distributor license.

CANNABIS ESTABLISHMENT - A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

CANNABIS MANUFACTURER - Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 Cannabis Manufacturer license.

CANNABIS PRODUCT - A product containing usable cannabis, cannabis extract, or any other cannabis resin and other ingredients intended for human consumption or use, including a product intended to be applied to the skin or hair, edible cannabis products, ointments, and tinctures. "Cannabis product" does not include: (1) usable cannabis by itself; or (2) cannabis extract by itself; or (3) any other cannabis resin by itself.

CANNABIS RETAILER - Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. This person or entity shall hold a Class 5 Cannabis Retailer license.

CANNABIS TESTING FACILITY - An independent, third-party entity meeting accreditation requirements established by the Cannabis Regulatory Commission that is licensed to analyze and certify cannabis items and medical cannabis for compliance with applicable health, safety, and potency standards.

CANNABIS WHOLESALER - Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 Cannabis Wholesaler license.

§ 24-4 PROOF REQUIRED FOR LOCAL SUPPORT

a. Any request for a resolution of local support, pursuant to N.J.S.A 24:6I-7.2, shall

include a concept plan indicating how applicant intends on complying with the Township's zoning, site plan and licensing requirements.

b. A resolution of local support does not constitute final approval for local licensure. A local license shall only be granted as set forth in Section 24-5 of this Code.

c. The Township Committee shall consider proposals for a resolution for local support in the order that the proposals are submitted.

§ 24-5 LICENSING

a. No cannabis business may lawfully operate in Hopewell Township without the issuance of a State permit or license and full regulatory oversight of the cannabis business by the Cannabis Regulatory Commission or other state licensing authority, as well as oversight and issuance of a license by the Township in accordance with the provisions of this Chapter.

b. All cannabis businesses shall be subject to conditional use and Site Plan approval in accordance with the Municipal Land Use Law.

c. A license to operate shall be granted by the Township Committee when the applicant has submitted evidence that it:

1. Received Site Plan approval from the Planning Board;
2. Complies with all elements of its concept plan;
3. Complies with any other relevant Township Ordinance; and
4. Has paid the required fees pursuant to Section 24-6.

d. Each local license shall be effective from January 1 until December 31 and shall be annually renewed upon the submission of a renewal application and renewal fee provided all conditions and requirements of applicable State law and this Chapter are met.

e. Any conditions of land use approval may be incorporated as conditions of the local license.

§ 24-6 FEES

a. The application fee for a cannabis cultivator license and for a cannabis manufacturer license shall be \$5,000. The fee shall be nonrefundable. A single cannabis business that seeks to obtain both a cannabis cultivator and cannabis manufacturer license shall remit application fees for both license types.

b. The annual registration fee for a cannabis cultivator license and for a cannabis manufacturer license shall be \$5,000. A single cannabis business that maintains both a cannabis cultivator and cannabis manufacturer license shall remit annual registration fees for both license types.

§ 24-7 LOCATION

a. Cannabis businesses shall only be permitted in the Valley Resource Conservation (VRC) District, as set forth more fully in Section 17-160.

§ 24-8 SECURITY

A cannabis business licensee shall maintain security on the site in accordance with the security plan that is approved by the Police Director/Chief. Such plan shall include appropriate fencing, security personnel, lighting, transport of product and receipts, and site control features that prevent unauthorized entry. All growing areas shall be fully enclosed by a six-foot tall fence of a material and strength to prevent unauthorized access and public viewing.

§ 24-9 SITE MANAGEMENT

a. The cannabis business shall prevent and eliminate any conditions on the site that constitute a nuisance.

b. The cannabis business shall maintain the exterior of the site, including any parking lots under the control of the permittee, free of litter, debris, and trash.

c. The cannabis business shall properly store and dispose of all waste generated on the site, including chemical and organic waste, in accordance with all applicable laws and regulations. No permittee shall dispose of cannabis or cannabis products unless they have been made unusable and unrecognizable.

§ 24-10 POLLEN AND SEED CONTROL

The cannabis business licensee shall implement measures to prevent cross-pollination and to prevent cannabis pollen and seeds from leaving the premises, including, but not limited to, use of pollen screens, ultraviolet light and methods to ensure that employees and other visitors do not leave the premises while carrying any cannabis pollen or seeds.

§ 24-11 HOURS OF OPERATION

Hours of delivery and shipping/distribution for cultivation and manufacturing uses shall be limited to 8:00 a.m. to 8:00 p.m., with the exception of on-site security.

§ 24-12 PENALTIES AND ENFORCEMENT

a. Any violation of the terms of this Chapter, of any condition of the license, or of any State, or local law or regulation may result in the revocation of the license and may further subject the licensee to any applicable penalties.

b. The provisions of this Chapter shall be enforced by the Township Police Department, Township Zoning Officer and/or Township Health Officer as appropriate based on the nature of the violation.

SECTION II.

Section 17-142 of the Code of the Township of Hopewell shall be amended as follows (deletions are struck through and additions are underlined):

§ 17-142 Prohibited Uses.

a. All principal uses which are not expressly permitted by the terms of this chapter are prohibited, except as provided in section 17-143.

b. For the purposes of P.L. 2021, c. 16 (“New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”), cannabis wholesalers, distributors, retailers and delivery services, as said terms are defined in section 3 of P.L. 2021, c. 16, shall be prohibited uses in all zones in the municipality.

SECTION III.

A new Section 17-150 of the Code of the Township of Hopewell shall be added to the Code of the Township of Hopewell as follows:

§ 17-150 Cannabis Uses

a. Purpose. P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), legalized the recreational use of cannabis by adults 21 years of age or older, and established a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession. The Act also required municipalities to “opt in” or “opt out” of permitting cannabis businesses, and allowed municipalities choosing to opt in to develop reasonable regulations for the location and manner of operations. Section 17-160(d) permits cannabis cultivation and cannabis manufacturing facilities as conditional uses in the VRC Zoning District. This section sets forth the land use requirements for cannabis cultivators and cannabis manufacturers and is designed to protect the community from visual and other adverse impacts of the uses while recognizing the Township’s Master Plan’s support of agriculture within the Township.

b. Area and yard requirements

Min. Lot Size	50 acres
Min. Lot Width	250 feet

Min. Lot Depth	250 feet
Min. Front Yard	350 feet
Min. Side Yard	300 feet
Min. Rear Yard	300 feet
Max. Building Height	35 feet
Max. Lot Coverage	15%
Min. Landscaped Buffer along a public road	See § <u>17-95j</u> .

All structures must comply with above front side and rear setbacks, except security control structures no larger than 250 square feet, setback 100 feet.

c. Lighting

Greenhouse interior lighting will likely extend beyond sunset and light trespass at night should be prevented through the use of blackout shades with side tracking or other comparable technologies, activated dusk to dawn. All outdoor lighting shall comply with Township Ordinance.

d. Noise

Noise generated on site shall be in compliance with all applicable State and Township noise regulations.

e. Odor Control

A cannabis business licensee shall prevent all odors generated from the cultivation and storage of cannabis from escaping from the buildings on the site, such that the odor cannot be detected by a reasonable person of normal sensitivity outside the buildings. All cannabis facilities shall have an air treatment system to mitigate cannabis-related odor. The air treatment system shall have sufficient odor absorbing filtration systems utilizing carbon filters or similar, and ventilation and exhaust systems to eliminate cannabis odors coming from the interior of the premises, such that any odor generated inside the facility is not detectable by a person of reasonable sensitivity at the subject property line. Performance standards of section 17-97 shall apply.

f. Traffic

A traffic management plan shall be provided per Section 17-112.

g. Water use

In addition to the meeting all other Township requirements, the Applicant shall provide a water conservation plan, which describes how rainwater will be captured and reused and how irrigation water shall be recirculated, with zero waste. Additionally, the water conservation plan shall include other features, including, but not limited to:

- i. Evaporative barriers on exposed soils and pots;
- ii. Timed drip irrigation;
- iii. Soil moisture monitors; and
- iv. Use of recycled water.

Observation well(s) shall be provided in accordance with section 17-149f.9 and remediation in accordance with section 16-6.8

h. Stormwater management

Stormwater management shall be provided sufficient to satisfy all New Jersey Department of Environmental Protection and Township stormwater control standards, except that Applicant shall recharge 100 percent of the average annual pre-construction groundwater recharge volume for the site.

i. Signage

All signage shall be limited to the name of the business. Illustrations, pictures, and other imagery is prohibited. One (1) facade sign is permitted, not to exceed 10% of the front facade area of the principal building. In no case shall the facade sign exceed 50 square feet.

One (1) freestanding sign not exceeding 32 square feet, shall be permitted in addition to the permitted facade sign.

j. Screening

An evergreen screen shall be provided to prevent public view of structures from all roadways and adjoining parcels.

k. Building Design

Greenhouses are inherently valuable for the growing of cannabis since they allow for energy conservation, compared with other indoor building growing conditions. A cannabis business must design the growing facilities within greenhouses to maximize solar energy use and minimize the use of other energy sources. The applicant shall maintain the design of the buildings on the site in accordance with the approved plans (e.g., floor plans and site plans).

l. Energy conservation

Recognizing that the greenhouse operation is energy intensive, the installation and operation of solar PV generators is required for a portion of the energy usage on site.

m. Farmland Soil Preservations

Applicant shall:

i. Identify all prime agricultural soils, soils of statewide importance, and soils of local importance on the site plan

ii. Design the site to avoid these soils to the maximum extent practical in the siting of impervious cover;

iii. To the extent impervious cover cannot avoid these soils, the Applicant shall consult with the NRCS and shall follow the NRCS recommendations for protecting the soils to the extent possible; and

iv. Prepare and submit to the Township a soils management and restoration plan to restore the agricultural land in the event that the facility ceases to operate.

SECTION IV.

Section 17-160 of the Code of the Township of Hopewell shall be amended as follows (deletions are struck through and additions are underlined):

d. Permitted Conditional Uses. Conditional uses permitted in section 17-159d2 to 6, 8 and 9. Additionally, cannabis cultivation and cannabis manufacturing uses shall be permitted in the VRC Zoning District, on lots of at least 50 acres, and which are located on a state or county road, no more than two miles from an interstate interchange. All cannabis uses are also subject to the requirements set forth in Section 17-150 of this Code.

SECTION V.

Section 10-20, entitled "Cannabis Taxation," shall be added to the Code of the Township of Hopewell as follows:

a. It is the purpose of this Section to implement the provisions of P.L. 2021, c. 16, which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; and two percent (2%) of the receipts from each sale by a cannabis retailer, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the cannabis establishment.

b. Unless otherwise defined herein, as used herein, the Township adopts by reference the terms and definitions established in Chapter 24 of this Code and in Section 40 of N.J.S.A. 24:6I-33.

c. There is hereby established a local cannabis transfer tax in the Township of Hopewell which shall be fixed at a uniform percentage rate of two percent (2%) of the receipts from each sale by a cannabis cultivator and two percent (2%) of the receipts from each sale by a cannabis manufacturer.

d. Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the “Sales and Use Tax Act,” P.L.1966, c.30 (C.54:32B-1 et seq.).

e. The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon property or cannabis establishment.

f. Collection

1. The transfer tax or user tax imposed by this article shall be collected or paid, and remitted to Hopewell Township by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.

2. Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the Chief Financial Officer of Hopewell shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

3. No cannabis establishment required to collect a transfer tax or user tax imposed by this section shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment, or that the transfer tax or user tax will be refunded to the cannabis establishment.

4. All revenues collected from a transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the Hopewell Township Chief Financial Officer on a quarterly basis payable for the prior three month's activities and due at the same time as quarterly dates for the collection of

property taxes. The revenues due on February 1 of each year shall include all transfer taxes or user taxes collected for the prior year months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

g. Payment; vendor violations and penalties.

1. The Chief Financial Officer shall collect and administer any transfer tax or user tax imposed to this section.

2. The Township shall enforce the payment of delinquent taxes or transfer fees imposed pursuant to this section in the same manner as provided for municipal real property taxes.

3. In the event that the transfer tax or user tax imposed by this section is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.

4. The Township shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced."

SECTION VI. SEVERABILITY.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION VII. INCONSISTENT ORDINANCES REPEALED.

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION VIII. EFFECTIVE DATE.

This ordinance shall take effect upon its passage and publication and filing with the Mercer County Planning Board, and as otherwise provided for by law.

Date Introduced: August 16, 2021

Date Advertised:

Date Adopted:

Julie Blake
Mayor

Attest:

Laurie E. Gompf
Municipal Clerk