

**TOWNSHIP OF GREENWICH
COUNTY OF CUMBERLAND**

PROPOSED ORDINANCE NO. 96-2026

**AN ORDINANCE PROVIDING FOR THE SETTING OF MUNICIPAL STANDARDS
AND QUALIFICATIONS, APPLICATIONS AND FEES AND ADMINISTRATION FOR
THE LICENSING OF MEDICAL AND PERSONAL USE OF CANNABIS
ESTABLISHMENTS IN THE TOWNSHIP IN THE GREENWICH PURSUANT TO THE
NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE, AND
MARKETPLACE MODERNIZATION ACT**

WHEREAS, the Township of Greenwich in the county of Cumberland, New Jersey (the “Township”), a municipal corporation of the State of New Jersey (the “State”), has not heretofore provided for land use regulations for adult use cannabis and now wishes to create regulations and licensing requirements for such regulated cannabis establishments that are permitted by the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act (the “Act”); and

WHEREAS, the Township finds, given the Schedule I status of cannabis under the federal Controlled Substance Act, complexities with access to banking and the level of cash transactions in cannabis-related businesses, and other concerns associated with cannabis related businesses, that only qualified operators should be permitted to safely operate strictly regulated cannabis facilities in the municipality on a limited basis and subject to reasonable time, manner and place restrictions, in order to balance patients’ and consumers’ interests and the creation of jobs and economic opportunity within the Township with public safety; and

WHEREAS, the Township has previously introduced on first reading an Ordinance (91-2025) allowing certain types of cannabis businesses with the exception of retail sales and consumer delivery; and

WHEREAS, it is in the best interest of the Township to proactively establish licensing requirements and zoning and planning requirements for regulated cannabis establishments and imposing regulatory fees to support enforcements activities.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COMMITTEE OF THE TOWNSHIP OF GREENWICH, NEW JERSEY AS FOLLOWS:

SECTION 1. The statements of the Preamble are incorporated herein as though fully set forth at length.

SECTION 2. Cannabis Establishments (as defined in the Act)

Cannabis establishments shall be permitted, within the Township, only if the following requirements are complied with:

- a. The regulations of this section are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities. If any provision of this Section is

inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall prevail.

- b. Prior to the operation of any cannabis establishment, a permit or license must be obtained from the State of New Jersey and from the Township of Greenwich for the applicable type(s) of cannabis establishment. No cannabis establishment shall be permitted to operate without state licenses.
- c. Permitted uses shall, at all times, comply with the terms and conditions of the licensee's cannabis establishment permits and license issued by the State of New Jersey and the Township of Greenwich.
- d. Odor. Cannabis establishment shall have equipments to mitigate odor. A building for a cannabis establishment shall be equipped with a state of the art ventilation system with filtration sufficient in type and capacity to mitigate cannabis odors emanating from the interior of the premises. The operator shall demonstrate compliance with state of the art odor mitigation as part of the applicant's submission before the Greenwich Township Planning Board.
- e. Noise. Outside generators and other mechanical equipments used for any kind of power supply, cooling, or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution.
- f. Security. All cannabis establishments shall be secured in accordance with the State of New Jersey statutes and regulations; shall have around the clock video surveillance system, 365 days a year; and shall have trained security personnel onsite at all times during hours as established by statute.
- g. Hours. No limitation of hours is imposed upon the classes of cannabis operation authorized by the Township but applicant must identify its proposed hours of operation and demonstrate no undue impact upon the neighboring properties and zone.
- h. Prohibition in Public Places. Consumption of cannabis, and cannabis products and items, in and by any form or manner, shall be prohibited in any public place within the Township of Greenwich, "public place" being defined in the Township of Greenwich Land Use Ordinance, for adult use cannabis, and as defined in the Act, as well as in the definition of "indoor public place" set forth in N.J.S.A. 26:3D-57, and, notwithstanding any provisions to the contrary, to include any place privately owned and operated on a for-profit or non-profit basis, which is generally accessible to the public.

SECTION 3. Licensing, applications, qualifications and standards.

The regulations of this Ordinance are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations shall prevail.

Licensing

- a. Local licensing authority.

- 1. The Township Committee (the "Committee") is hereby designated to act as the local licensing authority for the Township for all cannabis establishments. Under all circumstances in which State law requires communication to the Township by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in

which State law requires any review or approval by the Township of any action taken by the State licensing authority for receiving such communications and obtaining/granting such approvals shall be exercised by the Committee.

2. Under no circumstances shall a local license for a cannabis establishment issued by the Clerk be effective until or unless the State has issued the requisite permits or licenses to operate such a facility. It is the intent of this Ordinance that no cannabis establishment may lawfully operate in the Township of Greenwich without the issuance of a State permit or license and full regulatory oversight of the Cannabis Regulatory Commission or other authorized state licensing authority as well as oversight and issuance of a license by the Township.

- b. Classification of licenses. The Township, subject to land use approval and State licensure, may issue the following municipal licenses to operate a cannabis establishment:

Class I: Cannabis Cultivator License including outdoor Cultivator

Class II: Cannabis Manufacturer License

Class III: Cannabis Wholesaler License

Class IV: Cannabis Distributor License

- c. Maximum number of licenses. The Township may issue no more than three Class I, II, III, IV and VI Cannabis Licenses. Licensure in all classes may be, but is not required to be, held by the same entity or individual. Any license conditionally issued by the Township is contingent upon the locally licensed entity's or individual's subsequent receipt of a State permit or license of the same class or type of regulated cannabis activity.

Applications

- a. Persons wishing to obtain any classification of cannabis license shall file a license application with the Township Committee, on a standardized form established by the Committee and available in the Clerk's office. The Committee shall establish a reasonable application period and deadline for all applications. An application shall be deemed incomplete, and shall not be processed by the Committee, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:
 1. The applicant shall submit proof that the applicant has or will have lawful possession of the premises indicating an intent to lease the premises to the applicant contingent upon successful licensing.
 2. The applicant shall submit an affidavit and documentary proof of compliance with all the state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based

on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation,, or military status, in any of its activities or operations.

3. The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in or otherwise to be established pursuant to this Ordinance or other controlling law.
4. The applicant shall submit, to satisfaction of the Clerk, proof of financial capability to open and operate the cannabis establishment for which the applicant is seeking a license. Methodology for proof of financial capability shall be determined by the Clerk.
5. The applicant shall submit all required nonrefundable fees for the application and conditional license in accordance with the following fee schedule:

Class I: Cannabis Cultivator License - \$1,000
Class II: Cannabis Manufacturer License- \$1,000
Class III: Cannabis Wholesaler License- \$1,000
Class IV: Cannabis Distributor License- \$1,000

6. The applicant shall submit all annual registration fees required in accordance with the following fee schedule, which shall be paid sixty (60) days in advance of expiration of the current license:

Class I: Cannabis Cultivator License - \$15,000
Class II: Cannabis Manufacturer License- \$15,000
Class III: Cannabis Wholesaler License- \$15,000
Class IV: Cannabis Distributor License-\$15,000

Qualifications/Standards

- a. In addition to complying with any State requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years.
 1. The applicant and the application shall otherwise comply with any, and all qualification standards set forth in the State and Township laws or regulations.
 2. Such compliance shall be an ongoing obligation and be demonstrated at time of license renewal.

SITE PLAN APPLICATION/ CONDITIONAL USE:

- (a) In addition to licensing requirements listed above, the Applicant shall make application before the Greenwich Township Land Use Board by way of Site Plan Application to demonstrate physical attributes of the operation including any structures, greenhouses, safety and security apparatus, hours of operation, security measures and operational parameters of the applicant's business, interior roadways, access, parking, emergency vehicle access, fire apparatus access and such other items that may impact the operation of such a facility proposed.
- (b) The Site Plan and Resolution of Approval shall be required as a condition of operation and such Resolution shall constitute the baseline of operations for purposes of enforcement of terms and conditions of approval.
- (c) In recognition of the variety of potential formats of cannabis operations including production, storage, manufacture and warehousing and including indoor and outdoor grow operations which may include erection of permanent and non-permanent structures in support thereof, the Site Plan requirements shall be as follows:
 - i. Outdoor cannabis grow operations without permanent structures may be submitted as Minor Site Plans and treated as Agricultural operations. Applicants may submit mini plan sets showing a farm site plan, depicting farm access and service areas, agricultural infrastructure (irrigation, drainage, processing), security measures appropriate for agricultural protection, noise and odor attenuation efforts, composting and management of materials, cannabis specific operations, traffic flows, and general compliance with agricultural zoning requirements.
 - ii. All other cannabis operations shall be subject to Major Site Plan application requirements as provided for in the Greenwich Township Municipal Ordinances. Nothing herein shall act to limit the applicant's opportunity to request waiver of conditions and requirements of Major Site Plan Development as the applicant may deem appropriate.
 - iii. All Major Site Plan Development applications and Minor Site Plan Development applications shall be subject to public notice by publication and mailing to property owners within 200' of the proposed site.
- (d) Indoor and outdoor grow operations shall detail efforts to mitigate odor and noise and visual impact by employing odor and noise attenuation methods including the latest technology available for controlling odor. Visual impact upon neighbors shall be mitigated by

landscaping and plantings of trees and shrubs which are maintained in berms and buffers with suitable irrigation.

- (e) Outdoor grow operations are specifically authorized. Applicant shall comply with all odor mitigation measures and identify the number of crops and harvests intended. Applicant shall provide full site plan details of its operations including permanent and non-permanent structures comprising the facility.
- (f) Composting and disposal of waste shall be described in detail as part of the Site Plan Application.
- (g) Permitted Location: All Cannabis operations shall be permitted as conditional uses in the RA Agricultural Zone subject to site plan and application before the Greenwich Township Land Use Board.

TERM

b. Term of license and license renewals.

1. Any local license issued pursuant to this Ordinance shall be valid for a period of one (1) year from the date of issuance and shall be renewed in accordance with the provisions of this Ordinance.
2. The Committee may, at its discretion, adjust the renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.
3. Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed.
4. Any change of location of any license or modification to expand a licensed premise shall be subject to Township Land Use Board review and zoning approval.
5. Except where the Committee has received a complete renewal application along with the requisite fees, and has issued a license renewal, it shall be unlawful for any person to manufacture, sell distribute, transfer, transport, or otherwise remove cannabis or cannabis products from the premises of any license after the expiration date recorded on the face of the license.

SECTION 4. Any and all ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 5. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Taxation of gross revenues. The operator of the cannabis manufacturing and cultivation facility shall pay a local transfer tax to the Township of calculated as defined and described in the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization (CREAMM) Act as amended from time to time. The rates are as follows:

- 2% of the receipts from each sale by a cannabis cultivator.
- 2% of the receipts from each sale by a cannabis manufacturer.
- 1% of the receipts from each sale by a cannabis wholesaler.

Tax Payments to Greenwich Township shall be not less frequent than quarterly, due to coincide with the Township's quarterly tax collections.

The books and records of operations, sales and inventory of the operator shall be open for review by the Township and its professionals in order to determine compliance. Said review shall be confidential and shall not be overly intrusive.

SECTION 7. This Ordinance shall take effect upon passage and publication as provided by law.

DAN ORR, MAYOR

ATTEST:

LISA GARRISON, CLERK
INTRODUCED: JUNE 16, 2026
ADOPTED:

