

**MINUTES
TOWNSHIP OF PENNSAUKEN
PUBLIC COMMITTEE MEETING
July 21, 2022**

Pennsauken Township Public Committee Meeting was held at the Municipal Building located at 5605 N. Crescent Blvd Pennsauken, NJ 08110 on Thursday July 21, 2022.

The Meeting was called to order by Mayor Rafeh at 6:00 pm, who also called for the Salute to the Flag, to be followed by a Moment of Silence.

Mayor announced the meeting complies with the "Senator Byron M. Baer Open Public Meetings Act."

NOTE: Township Deputy Clerk announced that this meeting was published in the Courier Post and Retrospect on January 14, 2022

The meeting commenced with a roll call by the Township Deputy Clerk.

PRESENT: Committeeman Olivo, Committeeman Martinez, Committeeman DiBattista, Deputy Mayor Roberts, and Mayor Rafeh

NOTE: Township Clerk Pamela Scott-Forman was absent from meeting.

Also, present were Township Administrator Tim Killion, Deputy Clerk Ana Matos, Dana Surgner and Solicitor Linda Galella esq.

NOTE: Meeting was streamed live on YouTube.

APPROVAL OF MINUTES

Meeting Minutes – July 21, 2022

Committeeman Olivo moved motion to approve meeting minutes.

Committeeman DiBattista seconded the motion.

An affirmative 5/0 voice vote was recorded.

ORDINANCE(S) SECOND READING (public may comment)

2022:16 AN ORDINANCE AMENDING CHAPTERS 141 AND 277 AND ADDING NEW CHAPTER 95 OF THE CODE OF THE TOWNSHIP OF PENNSAUKEN TO FURTHER IMPLEMENT PROVISIONS OF THE NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKET PLACE MODERNIZATION ACT AND TO PERMIT AND GOVERN MEDICAL CANNABIS OPERATIONS

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 marijuana 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, Section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the location, manner and times of operation of such establishments and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 40 of the Act authorizes municipalities by ordinance to adopt regulations which establish limited taxation of the above classes of activity within the municipality; and

WHEREAS, on August 5, 2021, the Township Committee of the Township of Pennsauken adopted Ordinance 2021:22 which allows licenses for three classes of recreational cannabis: Class 2- Cannabis Manufacturer, Class 3- Cannabis Wholesaler and Class 5- Cannabis Retailer; and establishes taxation on these three classes of cannabis; and

WHEREAS, the Township has determined that the manufacturing, wholesaling and retailing of recreational cannabis will require additional police and community resources and that licenses must contribute to the cost of these added services through local license fees; and

WHEREAS, the Township now seeks to adopt regulations governing the local licensing, location, manner and times of operation of such establishments in the Township; and

WHEREAS, the State of New Jersey permits in limited circumstances the medical use of cannabis via the Jake Honig Compassionate Use Medical Cannabis Act,” P.L.2009, c.307 (N.J.S.A. 24:6I-1 et al.). This Act permits a municipality to enact regulations governing medical cannabis and provide for a taxation of medical cannabis; and

WHEREAS, the Township Committee wishes to create regulation’s for medical cannabis that can provide medical benefits and promote the health, safety and general welfare of the community; and

NOW, THEREFORE, BE IT ORDAINED AND ADOPTED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that Chapter 141 of the Township Code entitled “Development Regulations” and Chapter 277 of the Township Code entitled “Taxation”; are hereby amended and supplemented and a new Chapter 95 entitled “Cannabis” is hereby adopted and shall read as follows;

SECTION 1

The following definitions shall be added to Section 141-4 (Chapter 141 “Development Regulations”, Article I “General Provisions”):

MEDICAL CANNABIS — Cannabis intended for medical use by a qualified patient registered with the New Jersey Cannabis Regulatory Commission pursuant to N.J.S.A. 24:6I-1 et. seq. and N.J.S.A. 18A:40-12.22 et al.

MEDICAL CANNABIS DISPENSARY — An organization issued a permit by the New Jersey Cannabis Regulatory Commission that authorizes the organization to: purchase or obtain medical cannabis and related supplies from medical cannabis cultivators as defined in N.J.S.A. 24:6I-1 et al.; purchase or obtain medical cannabis products and related supplies from medical cannabis manufacturers as defined in N.J.S.A. 24:6I-1 et al.; purchase or obtain medical cannabis, medical cannabis products, and related supplies and paraphernalia from other medical cannabis dispensaries and from clinical registrants as defined in N.J.S.A. 24:6I-1 et al.; deliver, transfer, transport, distribute, supply, and sell medical cannabis and medical cannabis products to other medical cannabis dispensaries; furnish medical cannabis, including medical cannabis products, to a medical cannabis handler for delivery to a registered qualifying patient, designated caregiver, or institutional caregiver consistent with the requirements of subsection i. of N.J.S.A. 24:6I-20; and possess, display, deliver, transfer, transport, distribute, supply, sell, and dispense medical cannabis, medical cannabis products, paraphernalia, and related supplies to qualifying patients, designated caregivers, and institutional caregivers. A medical cannabis dispensary permit shall not authorize the permit holder to cultivate medical cannabis, to produce, manufacture, or otherwise create medical cannabis products.

SECTION 2

Section 141-81.A.(3), C-1 Commercial Districts (Chapter 141 "Development Regulations", Article VII "Zoning Regulations"), shall be amended as follows (deletions are struck through, additions are underlined):

Any one or more of the following uses when authorized as a conditional use by the Planning Board if simultaneous with site plan review, otherwise by the Board of Adjustment if the Board of Adjustment has jurisdiction in accordance with N.J.S.A 40:55D-70d(3):

SECTION 3

Section 141-81.A.(3)(f), which outlines conditional use regulations for Cannabis Retailers in C-1 Commercial Districts (Chapter 141 "Development Regulations", Article VII "Zoning Regulations"), shall be amended as follows (deletions are struck through, additions are underlined):

- (f) Cannabis Retailer, subject to the following conditions:
- [1] Such facility shall meet all requirements for licensure and hold an appropriate Class 5 Cannabis Retailer license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey. The required Local Cannabis License-must also be obtained from the Township of Pennsauken;
 - [2] The minimum lot area shall be 5,000 square feet.
 - [3] Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.
 - [4] Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 ~~Districts~~ district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.
 - [5] Shall not be located within 500 feet of the property line of any existing church or house of worship or any existing public park, ~~or~~ playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.

- [6] No facility may permit on-site consumption of cannabis or cannabis products.
- [7] No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.
- [8] Off-street parking shall be provided at a ratio of 1 space for every 100 square feet of gross floor area, with the addition of one parking space for each employee to be present at time of peak staffing.
- [9] Shall not be located within 1,000 feet of the right-of-way of U.S. Route 130.
- [10] Blinking or flashing lights shall be prohibited.
- [11] Shall be in full conformance with the signage requirements of this chapter.
- [12] All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 4

Section 141-83.A.(7), which outlines conditional use regulations for Cannabis Manufacturers and Wholesalers in LI Limited Industrial Districts (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be amended as follows (deletions are struck through, additions are underlined):

- (7) A Cannabis Manufacturer and Wholesaler, subject to the following conditions and when authorized as a conditional use by the Planning Board if simultaneous with site plan review, otherwise by the Board of Adjustment if the Board of Adjustment has jurisdiction in accordance with N.J.S.A 40:55D-70d(3):
 - (a) Such facility shall meet all of the requirements for licensure and hold the appropriate Class 2 Cannabis Manufacturer license or Class 3 Cannabis Wholesaler license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey. The required ~~Municipal~~ Local Cannabis License(s) must also be obtained from the Township of Pennsauken;
 - (b) The minimum lot area shall be not less than one (1) acre.

- (c) Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.
- (d) Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.
- (e) Shall not be located within 500 feet of the property line of any existing church or house of worship or any existing public park, ~~or~~ playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.
- (f) No facility may permit on-site consumption of cannabis or cannabis products.
- (g) No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.
- (h) Off-street parking shall be provided at a ratio of 1 space for every 200 square feet of gross floor area.
- (i) Shall not be located within 1,000 feet of the right-of-way of U.S. Route 130.
- (j) Blinking or flashing lights shall be prohibited.
- (k) Shall be in full conformance with the signage requirements of this chapter.
- (l) All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 5

Section 141-83.A.(8), which outlines conditional use regulations for Cannabis Retailers in LI Limited Industrial Districts (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be amended as follows (deletions are struck through, additions are underlined):

- (8) A Cannabis Retailer, subject to the following conditions and when authorized as a conditional use by the Planning Board if simultaneous with site plan review, otherwise by the Board of Adjustment if the Board of Adjustment has jurisdiction in accordance with N.J.S.A 40:55D-70d(3):
- (a) Such facility shall meet all requirements for licensure and hold the appropriate Class 5 Cannabis Retailer license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey. The required Local Cannabis License must also be obtained from the Township of Pennsauken;
 - (b) The minimum lot area shall be not less than one (1) acre.
 - (c) Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.
 - (d) Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.
 - (e) Shall not be located within 500 feet of the property line of any existing church or house of worship or any existing public park, playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.
 - (f) No facility may permit on-site consumption of cannabis or cannabis products.
 - (g) No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.
 - (h) Off-street parking shall be provided at a ratio of 1 space for every 100 square feet of gross floor area, with the addition of one parking space for each employee to be present at time of peak staffing.
 - (i) Shall not be located within 1,000 feet of the right-of-way of U.S. Route 130.
 - (j) Blinking or flashing lights shall be prohibited.
 - (k) Shall be in full conformance with the signage requirements of this chapter.

- (l) All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 6

Section 141-84.A.(3), HI Heavy Industrial Districts (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be amended as follows (deletions are struck through, additions are underlined):

Any of the following uses when authorized as a conditional use by the Planning Board if simultaneous with site plan review, otherwise by the Board of Adjustment if the Board of Adjustment has jurisdiction in accordance with N.J.S.A 40:55D-70d(3):

SECTION 7

Section 141-84.A.(3)(f), which outlines conditional use regulations for Cannabis Manufacturers and Wholesalers in HI Heavy Industrial Districts (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be amended as follows (deletions are struck through, additions are underlined):

- (f) A Cannabis Manufacturer and Wholesaler, subject to the following conditions:

- [1] Such facility shall meet all of the requirements for licensure and hold the appropriate Class 2 Cannabis Manufacturer license or Class 3 Cannabis Wholesaler license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey. The required Local Cannabis License must also be obtained from the Township of Pennsauken;
- [2] The minimum lot area shall be not less than one (1) acre.
- [3] Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.
- [4] Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.

- [5] Shall not be located within 500 feet of the property line of any existing church or house of worship, or any existing public park, ~~or~~ playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.
- [6] No facility may permit on-site consumption of cannabis or cannabis products.
- [7] No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.
- [8] Off-street parking shall be provided at a ratio of 1 space for every 200 square feet of gross floor area
- [9] Blinking or flashing lights shall be prohibited.
- [10] Shall be in full conformance with the signage requirements of this chapter.
- [11] All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 8

Section 141-84.A.(3)(g), which outlines conditional use regulations for Cannabis Retailers in HI Heavy Industrial Districts (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be amended as follows:

- (g) A Cannabis Retailer, subject to the following conditions:
 - [1] Such facility shall meet all requirements for licensure and hold the appropriate Class 5 Cannabis Retailer license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey. The required Local Cannabis License~~(s)~~ must also be obtained from the Township of Pennsauken~~;~~.
 - [2] The minimum lot area shall be not less than one (1) acre.
 - [3] Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.

- [4] Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.
- [5] Shall not be located within 500 feet of the property line of any existing church or house of worship or any existing public park, ~~or~~ playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.
- [6] No facility may permit on-site consumption of cannabis or cannabis products.
- [7] No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.
- [8] Off-street parking shall be provided at a ratio of 1 space for every 100 square feet of gross floor area, with the addition of one parking space for each employee to be present at time of peak staffing.
- [9] Blinking or flashing lights shall be prohibited.
- [10] Shall be in full conformance with the signage requirements of this chapter.
- [11] All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 9

New Section 141-81.A.(3)(g), which outlines conditional use regulations for Medical Cannabis Dispensaries in C-1 Commercial Districts (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be added to the Township Code as follows:

- (g) Medical Cannabis Dispensaries, subject to the following conditions:
 - [1] Such facility shall meet all requirements for licensure and hold a valid permit from the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.
 - [2] The minimum lot area shall be 5,000 square feet.

- [3] Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.
- [4] Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.
- [5] Shall not be located within 500 feet of the property line of any existing church or house of worship or any existing public park, playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.
- [6] No facility may permit on-site consumption of medical cannabis or medical cannabis products.
- [7] No outside storage of any medical cannabis, medical cannabis products or medical cannabis paraphernalia shall be permitted.
- [8] Off-street parking shall be provided at a ratio of 1 space for every 100 square feet of gross floor area, with the addition of one parking space for each employee to be present at time of peak staffing.
- [9] Shall not be located within 1,000 feet of the right-of-way of U.S. Route 130.
- [10] Blinking or flashing lights shall be prohibited.
- [11] Shall be in full conformance with the signage requirements of this chapter.
- [12] A security plan shall be submitted for the review and approval of the Pennsauken Township Committee and the Pennsauken Township Police Department. The security plan shall demonstrate how the facility will maintain effective security and control of operations. At a minimum, it shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on premises. No application to develop a medical cannabis dispensary shall be approved without a security plan that has been reviewed and approved by the Pennsauken Township Committee and the Pennsauken Township Police Department.

- [13] All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 10

New Section 141-83.A.(9), which outlines conditional use regulations for Medical Cannabis Dispensaries in LI Limited Industrial Districts (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be added to the Township Code as follows:

- (9) A Medical Cannabis Dispensary, subject to the following conditions and when authorized as a conditional use by the Planning Board if simultaneous with site plan review, otherwise by the Board of Adjustment if the Board of Adjustment has jurisdiction in accordance with N.J.S.A 40:55D-70d(3):
- (a) Such facility shall meet all requirements for licensure and hold a valid permit from the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.
 - (b) The minimum lot area shall be not less than one (1) acre.
 - (c) Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.
 - (d) Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.
 - (e) Shall not be located within 500 feet of the property line of any existing church or house of worship or any existing public park, playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.
 - (f) No facility may permit on-site consumption of medical cannabis or medical cannabis products.
 - (g) No outside storage of any medical cannabis, medical cannabis products or medical cannabis paraphernalia shall be permitted.

- (h) Off-street parking shall be provided at a ratio of 1 space for every 100 square feet of gross floor area, with the addition of one parking space for each employee to be present at time of peak staffing.
- (i) Shall not be located within 1,000 feet of the right-of-way of U.S. Route 130.
- (j) Blinking or flashing lights shall be prohibited.
- (k) Shall be in full conformance with the signage requirements of this chapter.
- (l) A security plan shall be submitted for the review and approval of the Pennsauken Township Committee and the Pennsauken Township Police Department. The security plan shall demonstrate how the facility will maintain effective security and control of operations. At a minimum, it shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on premises. No application to develop a medical cannabis dispensary shall be approved without a security plan that has been reviewed and approved by the Pennsauken Township Committee and the Pennsauken Township Police Department.
- (m) All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 11

New Section 141-84.A.(3)(h), which outlines conditional use regulations for Medical Cannabis Dispensaries in HI Heavy Industrial Districts (Chapter 141 "Development Regulations", Article VII "Zoning Regulations"), shall be added to the Township Code as follows:

- (h) A Medical Cannabis Dispensary, subject to the following conditions:
 - [1] Such facility shall meet all requirements for licensure and hold a valid permit from the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey.
 - [2] The minimum lot area shall be not less than one (1) acre.
 - [3] Shall not be any closer than 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical

detoxification center, as measured in a straight line from the nearest two points of the property lines.

- [4] Shall not be any closer than 350 feet from the R4 and R5 Districts; 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.
- [5] Shall not be located within 500 feet of the property line of any existing church or house of worship or any existing public park, playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.
- [6] No facility may permit on-site consumption of medical cannabis or medical cannabis products.
- [7] No outside storage of any medical cannabis, medical cannabis products or medical cannabis paraphernalia shall be permitted.
- [8] Off-street parking shall be provided at a ratio of 1 space for every 100 square feet of gross floor area, with the addition of one parking space for each employee to be present at time of peak staffing.
- [9] Blinking or flashing lights shall be prohibited.
- [10] Shall be in full conformance with the signage requirements of this chapter.
- [11] A security plan shall be submitted for the review and approval of the Pennsauken Township Committee and the Pennsauken Township Police Department. The security plan shall demonstrate how the facility will maintain effective security and control of operations. At a minimum, it shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on premises. No application to develop a medical cannabis dispensary shall be approved without a security plan that has been reviewed and approved by the Pennsauken Township Committee and the Pennsauken Township Police Department.
- [12] All other provisions that are applicable to the zone district and not in conflict with the foregoing conditional use requirements shall apply; provided, however, that such provisions shall not be applied as conditional use requirements.

SECTION 12

Section 141-90.1, Cannabis Uses (Chapter 141 “Development Regulations”, Article VII “Zoning Regulations”), shall be amended as follows:

- A. Cannabis Manufacturers, Wholesalers and Retailers, as said terms are defined in N.J.S.A. 24:61-31 (“New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”) and Section 141-4 of this Code, shall only be permitted uses in the Township as set forth in Chapter 141 – “Development Regulations.” Cannabis Cultivators (Class 1), Cannabis Distributors (Class 4) and Cannabis Delivery services (Class 6), except for the delivery of cannabis items and related supplies by a delivery service, shall be prohibited in all zones in the municipality.
- B. Medical Cannabis Dispensaries, as defined in N.J.S.A. 24:61-3 (“Jake Honig Compassionate Use Medical Cannabis Act”) and Section 141-4 of this Code shall only be permitted uses in the Township as set forth in Chapter 141 – “Development Regulations.”
- C. Cannabis Manufacturers, Wholesalers, Retailers and Medical Cannabis Dispensaries shall be prohibited within a redevelopment area unless said uses are specifically identified by name as a principal permitted use in the adopted redevelopment plan. For the purposes of this section, inclusion by reference (e.g., “all uses permitted in the HI Zone District” or “all uses permitted in the underlying zone district”) shall not be considered to be specifically identified by name as a principal permitted in the adopted redevelopment plan.
- D. A maximum of two (2) Class 5 Cannabis Retailer license establishments will be permitted within the Township.
- E. A maximum of two (2) medical cannabis dispensaries will be permitted within the Township.
- F. Cannabis Manufacturers and Wholesalers shall only be permitted in the LI and HI Districts.
- G. Cannabis Retailers shall only be permitted in the C1, LI and HI Districts.
- H. Medical Cannabis Dispensaries shall only be permitted in the C1, LI and HI Districts.
- I. The required Local Cannabis License~~(s)~~ for Cannabis Retailers, Cannabis Manufacturers, and Cannabis Wholesalers must also be obtained from the Township of Pennsauken.
- J. A public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, shall not be within 1,000 feet of an existing cannabis establishment, including, but not limited to, retailers, wholesalers, ~~or~~ manufacturers, or medical cannabis dispensaries.
- K. A church, house of worship or public park, ~~or~~ playground or other publicly owned recreational facility shall not be within 500 feet of an existing cannabis establishment, including, but not limited to, retailers, wholesalers, ~~or~~ manufacturers, or medical cannabis dispensaries.

- L. Odor Control. Odor control devices and techniques shall be incorporated in all cannabis establishments to ensure that odors from cannabis are not detectable off-site. Cannabis establishments shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the cannabis establishment that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the cannabis establishment. As such, cannabis establishments must install and maintain the following equipment, or any other equipment which the Board determines is a more effective method or technology:
 - (a) An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or,
 - (b) An air system that creates negative air pressure between the cannabis establishment's interior and exterior, so that the odors generated inside the cannabis establishment are not detectable on the outside of the cannabis establishment.

- M. Applications to develop Cannabis Manufacturers, Wholesalers, and Retailers shall be accompanied by a written statement, which demonstrates how proposed site and building design relates to the implementation of the security plan approved by the Local Cannabis Licensing Authority and Pennsauken Township Police Department as part of the separate application process for the required Local Cannabis License described in Chapter 95 of this ordinance.

SECTION 13

Article V of Chapter 277, entitled Cannabis Tax, shall be amended as follows:

Article V. Cannabis Tax

§ 277-20. Purpose.

It is the purpose of this article to implement the provisions of N.J.S.A. 24:6I-1 et. seq., N.J.S.A. 24:6I-31, and N.J.S.A. 40:48I-1, which authorize the governing body of a municipality to adopt an ordinance imposing a local cannabis transfer tax and user tax, 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.

§ 277-21. Definitions.

Unless otherwise defined herein, as used herein, the Township adopts by reference the terms and definitions established by Section 40 of Public Law 2021-16 (N.J.S.A. 24:6I-33), including any revised or new terms and definitions that may result from subsequent amendments thereto.

§ 277-22. Taxes established.

- A. There is hereby established a local cannabis transfer tax in the Township of Pennsauken which shall be fixed at a uniform percentage rate of 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; two percent (2%) of the receipts from each sale by a cannabis retailer; and two percent (2%) of the purchase price of medical cannabis dispensed at a medical cannabis dispensary (including medical cannabis that is furnished by the dispensary to a medical cannabis handler for delivery to a registered qualifying patient or the patient's caregiver) for every occupancy of a cannabis establishment in the Township of Pennsauken.
- B. In addition to the local cannabis transfer tax established for cannabis manufacturers, cannabis wholesalers, cannabis retailers and medical cannabis dispensaries in Subsection A of this section, a user tax, at the equivalent of transfer tax rates, is hereby established on any concurrent license holder, as permitted by Section 33 of P.L. 2021, c. 16 (C.24:61-46), operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to Subsection A of this subsection, from the license holder's establishment that is located in Pennsauken to any of the other license holder's establishments, whether located in this Township or another municipality.

§ 277-23. Tax in addition to other taxes or fees.

The local cannabis transfer tax and user 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.

§ 277-24. Collection.

- A. To facilitate the collection of the local cannabis transfer tax and user tax that are established by this article, the entity operating a cannabis establishment shall designate a specific person who shall be responsible for remitting said taxes. This person may be the entity's chief financial officer, president, chairman, manager, employee, owner, or a similar person affiliated with the entity.
 - (a) Notice of designation shall be provided in writing to the Chief Financial Officer of Pennsauken Township and include the signature of the designated person indicating their acceptance of the administrative and financial responsibility for remitting local cannabis transfer taxes and user taxes.
 - (b) Notice of designation shall also be provided in writing sent via certified mail to the designated person with a copy of such notice and proof of the designee's receipt provided to the Chief Financial Officer of Pennsauken Township.
 - (c) The designation of the specific person shall remain valid until a new designation has been made with notifications of same as described above.

- B. The transfer tax and user tax imposed by this article shall be collected or paid, and remitted to Pennsauken Township, by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the Township by the cannabis retailer selling the cannabis item to that consumer.
- C. The transfer tax and user tax imposed by this article 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.
- D. An electronic database record of all transactions subject to transfer tax and user tax shall be maintained for a period covering, at a minimum, the prior six (6) tax years. At a minimum, said record shall include the following information: date of transaction; time of transaction; transaction identification number; total sale amount; total sale amount subject to transfer tax and user tax; total sale amount not subject to transfer tax and user tax; total transfer tax and user tax collected.
 - (a) A copy of this electronic database record shall be provided to the Chief Financial Officer of Pennsauken Township upon request for any reason.
- E. The operator of 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 or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the cannabis establishment or consumer, 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 Pennsauken shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.
- F. 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 the consumer, or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.
- G. Remittance of transfer tax and user tax revenues. Transfer tax and user tax revenues shall be remitted as follows:
 - (a) All revenues collected from a transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the Chief Financial Officer of Pennsauken Township on an annual basis and due before close of business on April 21 of the following year. If April 21 falls on a weekend or legal holiday, revenues shall be due on the following business day.

- (b) All remittances shall be accompanied by a “Local Cannabis Transfer Tax and User Tax Return” on forms to be provided by the Chief Financial Officer of Pennsauken Township.
 - (i) In the event that the remitter subsequently files an amended “Local Cannabis Transfer Tax and User Tax Return” form, with the Chief Financial Officer of Pennsauken Township, the Chief Financial Officer shall assess the deficit or surplus of remittances for the period covered. Deficits shall be payable within 30 days of assessment by the Chief Financial Officer. Surpluses shall be refunded subject to authorization by the Pennsauken Township Committee.
 - (c) The remitter shall be permitted to make optional pre-payment of estimated transfer taxes or user taxes at any time.
 - (i) The Chief Financial Officer of Pennsauken Township will record any such pre-payment and issue receipt to the remitter.
 - (ii) Pre-Payments will be credited toward the annual tax liability for the year in which they are received.
 - (iii) Overpayment of the annual tax liability resulting from pre-payment will be refunded subject to authorization by the Pennsauken Township Committee.
- H. Revenue collection shall be subject to independent audit by a qualified auditor at the sole discretion of the Township of Pennsauken and for any reason.
- (a) The entity that is the subject of the audit shall be held financially responsible for all fees that result from said audit.
 - (b) To facilitate the conduct of an audit, the licensee shall fully cooperate with any and all requests for information made by the qualified auditor.

§ 277-25. Payment; vendor violations and penalties.

- A. The Chief Financial Officer shall collect and administer any transfer tax or user tax imposed to this section.
- B. The municipality 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.
- C. 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.

- D. The ~~A~~ municipality 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.

- E. In the event that the unpaid balance of the transfer tax or user tax imposed by this section, as well as any interest accruing thereon, is not paid within ninety (90) days, any Local Cannabis License issued under the terms of Chapter 95 of this ordinance that is associated with the non-paying cannabis establishment shall be subject to revocation at the discretion of the Township of Pennsauken. Revocation of Local Cannabis License(s) shall be separate from and in addition to any lien imposed by this section.

SECTION 14

New Chapter 95, entitled “Cannabis”, shall be added to Part II, entitled “General Legislation”, as follows:

Article 1. Licensing

§ 95-1. Local Cannabis License; Classification & Number of Local Cannabis Licenses

- A. Local Cannabis License Required. No person shall operate a Cannabis Establishment, Distributor or Delivery Service at any time or from any location within the Township unless a currently effective Local Cannabis License for that Person at that Licensed Premises has been issued under this Ordinance.

- B. Classification & Number of Local Cannabis Licenses. The Township, subject to State licensure, may issue the following local cannabis licenses:

Class	Maximum Number
Class 5 — Cannabis Retailer	2
Class 2 — Cannabis Manufacturer	No maximum
Class 3 — Cannabis Wholesaler	No maximum

- C. Dual Local Cannabis Licenses. The licensure and dual operation in multiple classes of Local Cannabis Licenses is permitted so long as all licenses are held by the same Local Cannabis Licensee, all applicable state and local licenses have been issued, such licenses remain valid, active and in compliance with all applicable state and municipal requirements.

- D. Conditional Approval for Local Cannabis License. The number of Conditional Approvals for Local Cannabis Licenses shall not be limited by the provisions of this section.

- E. Medical Cannabis Dispensaries. A Local Cannabis License shall not be required to operate a medical cannabis dispensary within the Township of Pennsauken.

§ 95-2. Local Cannabis Licensing Authority

- A. The Township Administrator is hereby designated to act as the local licensing authority for the Township for all Local Cannabis Licenses. 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 cannabis licensing 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, the exclusive authority for receiving such communications and granting such approvals shall be exercised by the Township Administrator.

§ 95-3. Application Requirements

- A. An application for a Local Cannabis License shall be submitted on current forms provided by the Township with an application fee pursuant to § 95-7. At least one controlling beneficial owner shall sign all applications. However, other owners with day-to-day management authority may be required to sign authorizations, requests to release information and other forms required by licensing authority staff. Applications shall be complete and accurate and must include all attachments, checklists, verifications and supporting documents required by the Township's current application forms before the application will be accepted or considered. The Township may refuse to accept an incomplete application.

§ 95-4. Procedures & Requirements for Approval

- A. Application Review. All Applications for a Local Cannabis License shall be referred to a subcommittee of the Township Committee for the Township of Pennsauken for purpose of reviewing the application and discussing the Applicant's compliance with this Chapter. The Applicant will be provided an opportunity to make a presentation and answer any questions of the members of the subcommittee.
- B. Local Licensing Authority Considerations. The local licensing authority may consider the facts and evidence adduced as a result of the Application Review, as well as any other facts pertinent to the type of license for which the application has been made. Such facts include, but are not limited to: the number, type, and availability of cannabis establishments located in or near the premises under consideration; proposed security measures; and other pertinent matters affecting the qualification of the applicant for the conduct of the type of business proposed, including, but not limited to, the applicant possessing a minority, women's, or disabled veterans' business certification provided to the Applicant by the Office of Minority, Disabled Veterans, and Women Cannabis Business Development pursuant to N.J.S.A. 24:6I-25.
- C. Conditional Approval. After review and consideration by the subcommittee, the local licensing authority may grant a Conditional Approval if concluded that the applicant has met the requirements set forth in this Chapter. A Conditional Approval shall entitle the

Applicant to pursue a State license in the appropriate classification for up to 18 months. A Conditional Approval shall not grant the Applicant any right or privilege to a Local Cannabis License. A Conditional Approval may identify specific conditions or prerequisites for obtaining a Local Cannabis License.

- D. **Limitation on Number of Licenses.** The number of Local Cannabis Licenses for each class of license are limited pursuant to § 95-1(B). A Local Cannabis License will not be issued to an Applicant that has obtained a Conditional Approval if the maximum number of Local Cannabis Licenses for the same class have been issued by the Township.
- E. **Denial of Conditional Approval.** The Township shall deny a Conditional Approval to any Applicant who fails to provide information, documentation and assurances as required by this Chapter or as requested by the Township, or who fails to reveal any material fact to qualification, or who supplies information which is untrue or misleading as to a material fact pertaining to the qualification criteria for licensure. The Township shall grant a Conditional Approval upon a determination that the Applicant has met the requirements of this Chapter unless the Township finds by clear and convincing evidence that the Applicant would be manifestly unsuitable to perform the activities for the applicable license class for which Conditional Approval is sought. A written decision with findings supporting the denial of the Conditional Approval shall be sent by certified mail to the applicant at the address shown in the application.
- F. **Termination of Conditional Approval.** A Conditional Approval shall be valid for 18 months, unless otherwise revoked, from the date of approval.

§ 95-5. Procedures and Requirements for Issuance of Local Cannabis License

- A. **Prerequisites.** No Local Cannabis License shall be issued until the following prerequisites have been met:
 - (a) the Applicant has received a State license;
 - (b) the Applicant has submitted a security plan for the review and approval of the Local Cannabis Licensing Authority and the Pennsauken Township Police Department. The security plan shall demonstrate how the facility will maintain effective security and control of operations. At a minimum, it shall identify the type and manner of 24-hour security, tracking and record-keeping of products and materials, surveillance systems to be utilized, and whether any armed security will be on premises; and,
 - (c) the Applicant has satisfied other specific conditions or prerequisites of the Conditional Approval.
- B. **Notice to Township.** An Applicant shall notify the Township upon meeting all conditions of the Conditional Approval. The notice shall include a copy of the State license, a copy of the full application submitted to the State of New Jersey and a statement affirming that the Applicant has not made any material changes to the original application.

- C. Issuance of Local Cannabis License. The Township shall issue a Local Cannabis License once satisfied that the conditions of the Conditional Approval have been met.
- D. License Duration. Unless revoked or suspended, local licenses shall run concurrently with State licenses. This means that once a Local Cannabis License is issued, such license will expire, unless otherwise revoked as provided for herein, on the same date as the current State license.

§ 95-6. Application Fee

- A. At the time of application, each applicant shall pay a nonrefundable application fee to defray the costs associated with the processing of the application. The application fee shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or Township law or ordinance, including, by way of example, the Annual Licensing Fee pursuant to § 95-8.
- B. The Application Fee shall be \$450.00.

§ 95-7. Annual Licensing Fee

- A. The Local Cannabis Licensee shall pay an annual licensing fee for each license held as follows:

Class	Annual Licensing Fee
Class 2 — Cannabis Manufacturer	\$20,000.00 up to 10,000 sq ft and \$30,000.00 more than 10,000 sq ft
Class 3 — Cannabis Wholesaler	\$10,000.00
Class 5 — Cannabis Retailer	\$10,000.00

- B. Payment Date. Annual Licensing Fee(s) shall be due and payable on the date the Township issues a Local Cannabis License and shall be payable annually thereafter on the yearly anniversary of the issuance of the license.
- C. Late Fees. The failure of a Local Cannabis Licensee to pay the Annual Licensing Fee when due, will result in the assessment of a Late Fee as follows:
 - (a) One (1) to Seven (7) days late, a late fee equivalent to two (2%) percent of the Annual Licensing Fee.
 - (b) Eight (8) to Fifteen (15) days late, a late fee equivalent to five (5%) percent of the Annual Licensing Fee.

- (c) Sixteen (16) to Thirty (30) days late, a late fee equivalent to ten (10%) percent of the Annual Licensing Fee.
- (d) After expiration of Thirty (30) days the Local Cannabis Licensee shall cease operations.

§ 95-8. Local Cannabis License Renewals.

- A. Timing of Renewal Application. An application for renewal of a Local Cannabis License shall be filed at least sixty calendar days prior to the expiration date of the current license.
- B. Renewal Application Procedures. The renewal application shall contain all the information required for new applications. The applicant shall pay a fee pursuant to § 95-7 to cover the costs of processing the renewal permit application. An application for renewal of a Local Cannabis License shall be rejected if any of the following exists:
 - (a) The application is filed less than sixty days before its expiration.
 - (b) The Local Cannabis License is suspended or revoked at the time of the application.
 - (c) The Local Cannabis Licensee has not been in regular and continuous operation in the four months prior to the renewal application.
 - (d) The Local Cannabis Licensee has failed to conform to the requirements of this chapter, or of any regulations adopted pursuant to this chapter.
 - (e) The Local Cannabis Licensee fails or is unable to renew its State of New Jersey license.
 - (f) If the Township or State has determined, based on substantial evidence, that the Local Cannabis Licensee is in violation of the requirements of this Chapter, or of the State rules and regulations, and the Township or State has determined that the violation is grounds for termination or revocation of the Local Cannabis License.
- C. Conditions of Renewal. The Local Licensing Authority is authorized to make all decisions concerning the issuance of a renewal license. In making the decision, the Local Licensing Authority is authorized to impose additional conditions to a renewal license, if it is determined to be necessary to ensure compliance with state or local laws and regulations or to preserve the public health, safety, or welfare. Appeals from the decision of the cannabis review committee shall be appealable to the Township Committee pursuant to § 95-11.

§ 95-9. Transfer of Local Cannabis License.

- A. Non-Transferable. A Local Cannabis Licensee shall not transfer ownership or control of the Local Cannabis License to another person or entity unless and until the transferee obtains an amendment to the license from the Local Licensing Authority stating that the transferee is now the licensee. Such an amendment may be obtained only if the transferee files an application in accordance with all provisions of this chapter (as though the transferee were applying for an original Local Cannabis License). The proposed transferee's application shall be accompanied by an Application Fee pursuant to § 95-7. No Local Cannabis License may be transferred when the Local Licensing Authority has notified the licensee that the permit has been or may be suspended or revoked.

- B. Change in Ownership. Changes in ownership of a Local Cannabis Licensee's business structure or a substantial change in the ownership of a Local Cannabis Licensee's business entity (i.e., changes that result in a change of more than fifty-one percent of the original ownership) must be approved by the Local Licensing Authority through the transfer process contained in Subsection A of this section. Failure to comply with this provision is grounds for license revocation.

- C. Any attempt to transfer a Local Cannabis License either directly or indirectly in violation of this section is hereby declared void, and such a purported transfer shall be deemed a ground for revocation of the permit.

§ 95-10. Suspension of License

- A. The Local Licensing Authority may revoke, suspend, or decline to renew any Local Cannabis License issued under this Chapter, or for any violation of any law and/or any rule, regulation policy, procedure or regulation in this Chapter. Grounds for revocation, suspension or nonrenewal of a license or permit shall include the following:
 - (a) The failure of the Local Cannabis Licensee to comply with the provisions of this chapter or any other law pertaining to commercial cannabis establishments;

 - (b) The giving of false or misleading information by the Local Cannabis Licensee in making application for a Local Cannabis License or in connection with an investigation conducted by the Township or any other state, local or federal agency;

 - (c) Any cause for denying an original Local Cannabis License as set forth in this Chapter;

 - (d) The revocation, suspension, or nonrenewal of associated state licenses/permits, which revocation, suspension or nonrenewal the Local Cannabis Licensee shall disclose immediately to the Local Licensing Authority;

- (e) The failure of the Local Cannabis Licensee to diligently initiate business operations or to continue to carry on business operations in a manner substantially as set forth in the business plan, safety and security plan and application submitted in support of the Local Cannabis Licensee's original or renewal application to operate.

- B. The determination of the Local Licensing Authority to suspend, revoke or decline to renew a Local Cannabis License shall be made in writing and mailed or delivered to the Local Cannabis Licensee's registered agent. The determination of the Local Licensing Authority shall become effective ten days following the date of the notice of that determination. The Local Cannabis Licensee may, during such ten-day period, appeal the determination of the Local Licensing Authority to the Township Committee. If the Local Cannabis Licensee fails to file the notice of appeal within such ten-day period, the determination of the Local Licensing Authority shall be final and conclusive. If a written notice of appeal is filed with the Township clerk during such ten-day period, the determination of the Local Licensing Authority shall be stayed pending the Township Committee's hearing and decision on the appeal.

§ 95-11. Liability & Indemnification

- A. By accepting a Local Cannabis License issued pursuant to this Chapter, the Local Cannabis Licensee waives and releases the Township, its officers, elected officials, and employees from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of Local Cannabis Licensee's owners, operators, employees, clients or customers for a violation of state or federal laws, rules or regulations.

- B. By accepting a Local Cannabis License issued pursuant to this Chapter, all Local Cannabis Licensees agree to indemnify, defend and hold harmless the Township, its officers, elected officials, employees, and insurers, against all liability, claims or demands arising on account of bodily injury, sickness, disease, death, property loss or damage or any other loss of any kind, including but not limited to, any claim of diminution of property value by a property owner whose property is located in proximity to a Licensed Property, arising out of, claimed to have arisen out of, or in any manner connected with the operation of a cannabis establishment or use of a cannabis product that is subject to the Local Cannabis License, or any claim based on an alleged injury to business or property by reason of a claimed violation of the federal Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. Section 1964(c) or any other alleged violation of the law.

- C. By accepting a Local Cannabis License issued pursuant to this Chapter, a Local Cannabis Licensee agrees to indemnify, defend and hold harmless the Township, its officers, elected officials, employees and insurers, against all liability, claims, penalties, or demands arising on account of any alleged violation of any existing law including the federal Controlled Substances Act, 21 U.S.C. Section 801 et seq.

§ 95-12. Local Cannabis License as Revocable Privilege

- A. Conditional Approval and Local Cannabis License granted by this Chapter are a revocable privilege granted by the Township and are not a property right. Granting a license does not create or vest any right, title, franchise, or other property interest. Each Local Cannabis License is exclusive to the Local Cannabis Licensee, and a Local Cannabis Licensee or any other person must apply for and receive the Township's approval before a Local Cannabis License is transferred, sold, or purchased. A Local Cannabis Licensee or any other person shall not lease, pledge, or borrow or loan money against a license. The attempted transfer, sale, or other conveyance of an interest in a Local Cannabis License without prior state and local approval is grounds for suspension or revocation of the Local Cannabis License or for other sanction considered appropriate by the Township.

Article 2. Regulations for Cannabis Establishments

§ 95-13. Regulations

Cannabis establishments shall at all times comply with the following operational requirements:

- A. **Scope of Operation.** Cannabis establishments shall be compliant with all respective applicable codes of the local zoning, building, and health departments. The operator of a cannabis establishment shall hold a valid license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey and, where applicable, a Local Cannabis License obtained from the Township of Pennsauken.
- B. **Security.** Cannabis establishments shall at all times maintain a security system that meets State requirements, and shall also include the following:
- (a) Robbery and burglary alarm systems which are professionally monitored and operated twenty-four (24) hours a day, seven (7) days a week and which will contact local law enforcement if triggered;
 - (b) All security recordings and documentations shall be preserved for at least one hundred and eighty (180) days and made available to law enforcement upon request for inspection.
 - (c) Secure backups of all security recordings shall be maintained. One backup shall be saved on a local storage device located on the premises. One backup shall be saved off-site.
- C. **Operating Hours.** The permitted hours of operation are as follows:
- (a) **Cannabis Retailer:** Cannabis retailers shall be permitted to operate daily from 9:00 AM to 10:00 PM.
 - (b) **Cannabis Manufacturer:** No restriction.

- (c) Cannabis Wholesaler: No restriction.
- (d) Medical Cannabis Dispensaries: Medical cannabis dispensaries shall be permitted to operate daily from 9:00 AM to 10:00 PM.

D. Sign Restrictions. The following sign restrictions shall apply:

- (a) All signs, posters, placards, devices, graphic displays, and any other form of commercial advertising related to cannabis, cannabis products, or a cannabis establishment shall be installed and maintained by a person or entity holding a license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey and, where applicable, a Local Cannabis License obtained from the Township of Pennsauken.

- (b) No person shall place, permit, or maintain any off-site sign, poster, placard, device, graphic display, or any other form of commercial advertising for cannabis, cannabis products, or a cannabis establishment in any publicly visible location within:

- [1] 1,000 feet from any public or nonpublic school or preschool or child-care center, alcohol or drug abuse recovery or treatment facility, behavioral health care facility or residential medical detoxification center, as measured in a straight line from the nearest two points of the property lines.

- [2] 350 feet from the R4 and R5 districts, as measured in a straight line from the nearest two points of the property lines.

- [3] 400 feet from a R1, R2 or R3 district, residential use, or mixed use containing residential uses, as measured in a straight line from the nearest two points of the property lines.

- [4] 500 feet of the property line of any existing church or house of worship or any existing public park, or playground or other publicly owned recreational facility, as measured in a straight line from the nearest two points of the property lines.

- [5] 1,000 feet of the right-of-way of: U.S. Route 130; NJ Route 73; NJ Route 38; NJ Route 70; NJ Route 90; and NJ Route 30.

- (c) The foregoing sign restrictions shall not apply in the following circumstances:

- [1] Any sign advertising cannabis, cannabis products, or a cannabis business placed within a licensed cannabis establishment, unless such sign is affixed to or otherwise visible through a window.

[2] On commercial vehicles used exclusively for transporting cannabis or cannabis products by a business holding a license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey or a Local Cannabis License obtained from the Township of Pennsauken.

[3] The display of public service messages or similar announcements opposing the use of cannabis or cannabis products, or that are designed to encourage minors to refrain from using or purchasing cannabis or cannabis products. However, this subsection shall not be construed to permit an advertisement which purports to oppose the use of cannabis or cannabis products when that message is conveyed in conjunction with the display of a logo, trademark or name used by any person or entity engaged in any commercial cannabis activity for marketing or promotion of cannabis or cannabis products.

(d) None of the forgoing restrictions and exceptions shall be construed to permit any sign.

(e) The signage requirements of §141-86 shall also apply.

E. Permits. All necessary building, electrical, plumbing, and mechanical licenses must be obtained.

F. Waste Disposal. The operator of a cannabis establishment shall use lawful methods in controlling waste or by-products from any activities. All waste or by-products stored onsite must be contained in a dumpster that is locked or located within a locked enclosure; however, waste products containing tetrahydrocannabinol, which is commonly abbreviated as THC, shall be stored indoors, and disposed of as hazardous waste pharmaceuticals in a manner that is consistent with prevailing state and federal laws and regulations.

G. Additional Conditions. The Township may impose such reasonable terms and conditions on operators of cannabis establishments, as may be necessary to protect the public health, safety, and welfare, and to obtain compliance with the requirements of this Ordinance and applicable law.

Article 3. Prohibition of Public Consumption and Disposal

§ 95-14. 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" does not include: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marihuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.).

CANNABIS PARAPHERNALIA — "Cannabis paraphernalia" means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing a cannabis item into the human body. "Cannabis paraphernalia" does not include drug paraphernalia as defined in N.J.S.2C:36-1 and which is used or intended for use to commit a violation of chapter 35 or 36 of Title 2C of the New Jersey Statutes.

MEDICAL CANNABIS — Cannabis intended for medical use by a qualified patient registered with the New Jersey Cannabis Regulatory Commission pursuant to N.J.S.A. 24:6I-1 et. seq. and N.J.S.A. 18A:40-12.22 et. al.

PRIVATE PLACE — Any place which is not a public place as herein defined.

PUBLIC PLACE — Any place, either publicly or privately owned, which is or may be frequented by the public.

§ 95-15. Consumption of Cannabis Prohibited in Public Places

No person shall consume cannabis:

- A. While in a public place.
- B. While in a private place of which he or she is not an owner, tenant, or lawful occupant without the permission of any owner, tenant, lawful occupant, or any person having the authority to grant such permission.
- C. While in a private motor vehicle in motion on or parked in any public place or upon any private place of which he or she is not an owner, tenant, or lawful occupant without the express permission of the property owner, tenant, lawful occupant, or other person having the authority to grant such permission.

§ 95-16. Discarding of Cannabis and Cannabis Paraphernalia Prohibited in Public Places

No person shall discard of cannabis or cannabis paraphernalia:

- A. In a public place.
- B. In a private place of which he or she is not an owner, tenant, or lawful occupant without the permission of any owner, tenant, lawful occupant, or any person having the authority to grant such permission.

§ 95-17. Violations and Penalties

Any person who shall violate the provisions of this article shall, upon conviction, be subject to one or more of the following at the discretion of the Municipal Court Judge:

- A. A fine not exceeding \$1,250 or imprisonment in the county jail for a term not exceeding 90 days; or,
- B. A period of community service not exceeding 90 days.

§ 95-18. Enforcement.

The Township of Pennsauken Police Department is hereby charged with the enforcement of this article. All members of the Pennsauken Police Department are hereby designated as enforcement officers for the purpose of enforcement of this article.

SECTION 15

New Section 141-86.H, which outlines supplemental sign regulations for cannabis establishments shall be added to the Township Code as follows:

- H. Cannabis Establishments. The following additional sign regulations shall apply to all cannabis establishments:
 - (1) One (1) sign shall be permitted per cannabis establishment; provided, however, that a maximum of two (2) signs shall be permitted if a cannabis establishment is to be located on a corner lot with frontage on two (2) or more public roadways.
 - (2) The maximum total area of all permitted signs shall not exceed an area equal to two square feet for every one lineal foot of building frontage or 75 square feet, whichever is less.

- (3) Signs shall be permitted on a building wall; provided, however, that no sign shall extend above the roofline.
- (4) Any sign located in a publicly visible location is encouraged to display only the following information:
 - (a) Name of business
 - (b) Logogram of business
 - (c) Address of business
 - (d) Hours of operation
 - (e) Contact information
 - (f) Any information required by law or required or recommended by a government agency.
- (5) Signs affixed to building roofs shall be prohibited.
- (6) Banners, steamers, spinners, whirling and similar attention-attracting devices shall be prohibited.
- (7) Portable signs shall be prohibited.
- (8) Digital signs shall be prohibited.
- (9) The foregoing sign regulations supplement and are in addition to all other sign regulations of this code.
- (10) Where a provision in this subsection contradicts another sign regulation of this code, the most restrictive regulation shall apply.
- (11) The sign restrictions of Chapter 95 shall also apply.

Committeeman Olivo moved motion to open floor for public hearing
Deputy Mayor Roberts second motion
An affirmative 5/0 voice vote was recorded.

Committeeman Olivo moved motion to close floor for public hearing
 Committeeman Martinez second motion.
 An affirmative 5/0 voice vote was recorded.

Motion To Adopt on SECOND reading:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>		√	√			
<i>Martinez</i>			√			
<i>Roberts</i>	√		√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			

No Public Wished To Comment

2022:17 ORDINANCE FURTHER AMENDING ORDINANCE 2022:08 OF THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Pennsauken, County of Camden, New Jersey ("Township") (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. Section 7 of Bond Ordinance 2022:08, as heretofore amended by Ordinance 2022:13, duly adopted by the Township Committee on March 17, 2022 and April 28, 2022, respectively, is hereby further amended and restated to provide as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulne ss</u>
Installation of HVAC System for Club House Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$287,000	\$14,350	\$272,650	15 years
Various Improvements and Renovations to Club House including, but not limited to installation of Simulator Room and Bar Renovations, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	321,000	16,050	304,950	15 years
Completion of Various Improvements to Golf Course including, but not limited to Pump House, Bag Drop, Tee Boxes, Greens, and Landscaping, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	172,000	8,600	163,400	10 years

Acquisition of Various Capital Equipment for Golf Course Maintenance including, but not limited to, Grinders, Sprayers, Greens Fans, Drainage and Landscaping Equipment together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	150,000	7,500	142,500	15 years
Acquisition of New Electric Golf Carts, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	70,000	3,500	66,500	5 years
Totals:	<u>\$1,000,00</u> <u>0</u>	<u>\$50,00</u> <u>0</u>	<u>\$950,000</u>	

Section 2. Section 8 of Bond Ordinance 2022:08 is hereby amended and restated in its entirety to provide as follow:

"**Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorized the issuance of bonds or bond anticipation notes, taking into consideration respective amounts of bond or bond anticipation notes authorized for said several purposes, is not less than 12.85 years."

Section 3. If necessary or required, the capital budget or temporary capital budget, as applicable, is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the City Clerk and available for public inspection.

Section 4. All other parts of Bond Ordinance 2022:08 not amended hereby shall remain in full force and effect.

Section 5. All bonds or bond anticipation notes heretofore issued and now outstanding pursuant to Bond Ordinance 2022:08, and any moneys expended, or any expenses incurred pursuant to appropriations made by Bond Ordinance 2022:08, if any, shall be accounted and deemed to have been issued, expended, or incurred pursuant to Bond Ordinance 2022:08, as heretofore amended and as further amended by this Ordinance.

Section 6. In accordance with the applicable law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Statement to be Published with Ordinance After Final Adoption.

Deputy Mayor Roberts moved motion to open floor for public hearing
 Committeeman Olivo second motion
 An affirmative 5/0 voice vote was recorded.

Committeeman Olivo moved motion to close floor for public hearing
 Committeeman Martinez second motion.
 An affirmative 5/0 voice vote was recorded.

Motion To Adopt on SECOND reading:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>		√	√			
<i>Martinez</i>			√			
<i>Roberts</i>			√			
<i>Rafeh</i>			√			
<i>DiBattista</i>	√		√			

No Public Wished To Comment

2022:18

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF PENNSAUKEN CHAPTER 299 ENTITLED “VEHICLES AND TRAFFIC (removal /addition of handicapped sign)

BE IT ORDAINED by the Mayor and Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, as follows:

Chapter 299-57 “Restricted Parking Zones in Front of Residences”: is hereby amended to REMOVE the following:

Handicapped Parking Signs located at 8316 Herbert Avenue beginning 138 feet north of New York Avenue and continuing 22 feet thereof.

Chapter 299-57 “Restricted Parking Zones in Front of Residences”: is hereby amended to ADD the following:

Handicapped Parking Signs located at 2402 42nd Street beginning 324 feet north of the northeast corner of 42nd Street and Jackson Avenue and continuing 22 feet north.

All Ordinances or parts of Ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect upon due publication and final enactment as provided by law.

Deputy Mayor Roberts moved motion to open floor for public hearing
 Committeeman Olivo second motion
 An affirmative 5/0 voice vote was recorded.

Committeeman Olivo moved motion to close floor for public hearing
 Committeeman Martinez second motion.
 An affirmative 5/0 voice vote was recorded.

Motion To Adopt on SECOND reading:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>		√	√			
<i>Martinez</i>			√			
<i>Roberts</i>			√			
<i>Rafeh</i>			√			
<i>DiBattista</i>	√		√			

No Public Wished To Comment

2022:19 AN ORDINANCE TO AMEND CHAPTER 244 THE CODE OF THE TOWNSHIP OF PENNSAUKEN, ENTITLED “PROPERTY, VACANT, FORECLOSED AND ABANDONED; VACANT PROPERTIES NOT IN DEFAULT”

WHEREAS, Chapter 244 of the Township of Pennsauken of Code requires registration of vacant and abandoned properties to prevent blight and the associated negative impacts that surround them; and

WHEREAS, New Jersey recently adopted P.L. 2021, c.444, explicitly authorizing municipalities to adopt ordinances to address blight through registration of vacant and abandoned properties; and

WHEREAS, P.L. 2021, c.444 allows municipalities, by ordinance, to require commercial lenders foreclosing on properties to register with the municipality and provide notice of pending foreclosures to the municipality; and

WHEREAS, this legislation defines “vacant and abandoned” and permits an annual registration fee of \$500 per property plus \$2,000 per property if it is vacant and abandoned or becomes vacant and abandoned at any time after the foreclosure is filed; and

WHEREAS, P.L. 2021, c.444 also allows municipalities to administer the registration program by contracting with third-parties or other public entities; and

WHEREAS, the Township Committee of the Township of Pennsauken (“Township Committee”) has determined it is in the Township of Pennsauken’s (“Township”) best interest to amend, repeal, and replace certain sections of Chapter 244 to conform to P.L. 2021, c.444; and

NOW, THEREFOR, BE IT ORDAINED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, that the following Ordinance is hereby adopted so as to amend, repeal, and replace certain sections of Chapter 244 of the Code of the Township of Pennsauken to read as follows (underlined text illustrates additions, strikethrough text illustrates deletions):

ARTICLE I.

Chapter 244 of the Township Code, entitled “Property, Vacant, Foreclosed, and Abandoned; Vacant Properties Not in Default,” shall be renamed to read as follows:

“~~Property, Vacant, Foreclosed, and Abandoned~~ Properties; ~~Vacant Properties Not in Default~~”

ARTICLE II.

Article I, Section 244-1 of the Township Code, entitled “Definitions,” shall be amended to read as follows:

“As used in this chapter, the following terms shall have the meanings indicated:

ABANDONED PROPERTY — Any property that is determined to be abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et seq.), as follows:

A. Property must not have been legally occupied for six months and must meet any one of the following criteria:

(1) Property is in need of rehabilitation, in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six month period.

- (2) Construction was initiated and discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of determination that the building is abandoned.
- (3) At least one installment of property tax remains unpaid and delinquent as of the date of determination.
- (4) The property has been determined to be a nuisance by the public officer as defined in this section.

B. Exceptions to abandoned property.

- (1) A property on which an entity other than the Township holds a tax sale certificate is not deemed to be abandoned if the owner of the certificate:
 - (a) Continues to pay all municipal taxes and liens when due; and
 - (b) Initiates foreclosure proceedings within six months after the property is eligible for foreclosure.
- (2) A property used on a seasonal basis is deemed to be abandoned only if it meets any two of the criteria set forth in N.J.S.A. 55:19-81.

C. A property which contains both residential and nonresidential space may be considered abandoned pursuant to N.J.S.A. 55:19-78 et seq. so long as 2/3 or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer.

ABANDONED PROPERTY LIST — The list of abandoned properties established and maintained by the Township’s public officer pursuant to Article III of this Chapter, which shall only include properties that fit the criteria for “abandoned property” as defined in this Article I.

~~ACCESSIBLE PROPERTY/STRUCTURE — A property that is accessible through a comprised/breached gate, fence, wall, etc., or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.~~

APPLICABLE CODES — Includes, but is not limited to, the following Township of Pennsauken Codes: zoning, property rehabilitation and maintenance code, along with the state and county building and fire codes.

APPLICABLE ORDINANCES — Includes, but is not limited to, the Township of Pennsauken's Neighborhood Improvement Ordinance, Solid Waste Ordinance, as well as Residential and Commercial Recycling Ordinance.

CREDITOR — A State chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act,” sections 1 through 21 39 of P.L.2009, c.53 (C.17:11C-51 through C.17:11C-89), and any entity, agent, or assignee acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. A creditor shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.

DEFAULT — That the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or the evidence of the debt, referred to in the mortgage.

ENFORCEMENT OFFICER — Any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Township to enforce the applicable code(s).

~~EVIDENCE OF VACANCY — Any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash, junk or debris; abandoned vehicles, auto parts or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers, mail and/or mail being returned, or statement by neighbors, passersby, delivery agents or government agents; or the presence of boards over doors, windows or other openings in violation of applicable codes.~~

FORECLOSURE — Legal process by which a mortgagee, or other lienholder, terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lienholder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lienholder, or their designee, by certificate of title, or any other means, is sold to a nonrelated bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

LIENHOLDER or MORTGAGE HOLDER — Any person or entity holding a note, mortgage or other interest secured by the building or any part thereof.

MORTGAGEE — The creditor, including but not limited to trustees, mortgage service companies, and lenders in a mortgage agreement, any agent, servant or employee of the creditor, any successor in interest, or any assignee of the creditor's rights, interests or obligations under the mortgage agreement. The definition for “mortgagee” shall only apply to Article III of Chapter 244.

NUISANCE — Any property that is determined by the public officer to be a nuisance if any one of the following applies:

- A. The property is found to be unfit for human habitation, occupancy or use pursuant to N.J.S.A. 40:48-2.3;
- B. The condition and vacancy of the property materially increases the risk of fire to the property and adjacent properties;
- C. The property is subject to unauthorized entry leading to potential health and safety hazards; the owner has failed to take reasonable and necessary measures to secure the property; or the Township has secured the property in order to prevent such hazards after the owner has failed to do so;
- D. The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards; or
- E. The dilapidated appearance or other condition of the property materially affects, including the economic welfare of, the residents of the area in close proximity to the property and the owner has failed to take reasonable and necessary measures to remedy the conditions.

OWNER — Includes the title holder, any agent of the title holder having authority to act with respect to a vacant property, any holder of legal or beneficial title, any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, § 17) or any other entity determined by the Township of Pennsauken; also means the holder or holders of title to an abandoned property. The definition for “owner” shall only apply to Article III of Chapter 244.

~~PROPERTY MANAGEMENT COMPANY — A property manager, property management company or similar entity responsible for the maintenance and security of registrable real property within 20 driving miles of the Township of Pennsauken limits. Upon review of credentials the Township of Pennsauken, or its designee, may allow a nonlocal property manager to be listed.~~

PUBLIC OFFICER — The compliance officer, or such other public officer designated or appointed by the Township Committee pursuant to N.J.S.A. 40:48-2.5.

QUALIFIED REHABILITATION ENTITY — An entity organized or authorized to do business under the New Jersey Statutes which shall have as one of its purposes the construction or rehabilitation of residential or nonresidential buildings, the provision of affordable housing, the restoration of abandoned property, the revitalization and improvement of urban neighborhoods, or similar purpose, and which shall be well-qualified by virtue of its staff, professional consultants, financial resources, and prior activities set forth in P.L. 2003, c. 10 (N.J.S.A. 55:19-78 et seq.), to carry out the rehabilitation of vacant buildings in urban areas.

REAL PROPERTY — Any improved residential or commercial land, buildings, leasehold improvements and anything affixed to the land or portion thereof identified by a block and lot number, located in the Township of Pennsauken arc considered improved land.

REGISTRABLE PROPERTY

~~A. — Any real property located in the Township of Pennsauken, whether vacant or occupied, that is encumbered by a mortgage in default, is subject to an ongoing foreclosure action, is subject to an application for a tax deed or pending tax assessor's lien sale, or has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a "default/foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a nonrelated bona fide purchaser in an arm's length transaction or the foreclosure action has been dismissed and any default on the mortgage has been cured.~~

~~B. — Any property that is vacant for more than 30 days or any cancellation of utility or service, whichever occurs first.~~

~~SEMIANNUAL REGISTRATION — Six months from the date of the first action that required registration, as determined by the Township of Pennsauken, or its designee, and every subsequent six months. The date of the initial registration may be different than the date of the first action that required registration.~~

TOWNSHIP — The Township of Pennsauken, County of Camden, State of New Jersey.

~~VACANT PROPERTY — Any building used or to be used which is not legally occupied as evidenced by the conditions set forth in the definition of "evidence of vacancy" or at which substantially all lawful construction operations or occupancy has ceased; provided, however, that any property that contains all building systems in working order, is fully compliant with our property maintenance codes and is being actively marketed by its owner for sale or rental shall not be deemed vacant. Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for the purposes of this article.~~

VACANT AND ABANDONED — A property shall be deemed “vacant and abandoned” for purposes of Article II, Sections 244-2 to 244-4 if:

A. The property is not legally occupied by a mortgagor or tenant, and

- B. The property cannot be legally reoccupied, because of at least two (2) of the following conditions:
- (1) overgrown or neglected vegetation;
 - (2) the accumulation of newspapers, circulars, flyers, or mail on the property;
 - (3) disconnected gas, electric, or water utility services to the property;
 - (4) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
 - (5) the accumulation of junk, litter, trash, or debris on the property;
 - (6) the absence of window treatments such as blinds, curtains, or shutters;
 - (7) the absence of furnishings and personal items;
 - (8) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
 - (9) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
 - (10) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
 - (11) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
 - (12) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
 - (13) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
 - (14) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
 - (15) any other reasonable indicia of abandonment.”

ARTICLE III.

Article II, Sections 244-2 to 244-8.1 of the Township Code, entitled “Registration and Maintenance Requirements,” is hereby REPEALED and replaced to read as follows:

§ 244-2 Establishment & Administration of Registry.

- A. The Township of Pennsauken shall create and maintain a registry of all commercial and/or residential properties within its municipal boundary for which a summons and complaint in an action to foreclose has been filed with the New Jersey Superior Court, pursuant to its authority granted by P.L. 2021, c.444. This registry will be formed and maintained to assist the Township with regulating the maintenance, security, and upkeep of properties which may become vacant and abandoned during the foreclosure process, in order to prevent the deleterious effects of blight associated with vacant and abandoned properties that are not maintained.
- B. The Township may, at its discretion, create, maintain, and administer this registry independently, retain the professional services of a third party pursuant to the Local

Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, or participate in a Shared Services Agreement with other local units, Counties, and/or County Improvement Authorities for the creation, maintenance, and administration of the registry pursuant to the Uniform shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*

- C. Any third parties retained to create, maintain, and/or administer the registry shall have the authority, on behalf of the Township, to:
- (1) Identify properties subject to the registration requirement;
 - (2) Maintain and update the registration list;
 - (3) Communicate with creditors and/or in-state representatives;
 - (4) Invoice and collect payment of fees;
 - (5) Monitor compliance; and
 - (6) Such other functions, within the scope of P.L. 2021, c.444, which may be deemed necessary to carry out its function on behalf of the Township.
- D. Any third parties retained to create, maintain, and/or administer the registry shall be required to comply with the following reporting and payment requirements:
- (1) Any and all amounts collected by the third party as part of its administration of the Township's registry, including registration fees, interest, and penalties, shall be paid, in full, directly to the Township, or Camden County, and/or County Improvement Authority, as applicable, not less than once per year, or as otherwise directed by the Township's public officer. No fees, payments, expenses, or other deductions shall be made from this payment; payment for any third party's services under this Article shall be made by the Township, or as applicable, the County/County Improvement Authority, directly to the third party, under the terms and conditions outlined within the contract for professional services.
 - (2) Not less than once per year on the first business day of each calendar year, or as otherwise may be requested by the Tax Collector, any third party administering the Township's registry shall file with Tax Collector a certification identifying:
 - (a) The address, block, lot, and contact information of any property for which registration fees under this Article are due and owing at the time of the certification;
 - (b) The amount of the registration fees, and separately, any interest, fines, and other penalties due and owing at the time of the certification; and,
 - (c) The date on which the property became eligible for inclusion on the Township's registry.
- E. The Township's public officer or his/her designee shall serve as the municipal official responsible for notifying creditors, establishing and maintaining the registry, determining eligibility for designation as a vacant and abandoned property under this Article, and for imposing fees, penalties, and/or violations. The responsibilities herein may be designated to a third party, pursuant to the terms and conditions of a contract for professional services consistent with P.L. 2021, c.444.

§ 244-3 Registration, Notice, and Other Creditor Requirements.

- A. Within 30 days of the effective date of this Ordinance, any creditor who has initiated a summons and complaint with the New Jersey Superior Court in an action to foreclose on a commercial and/or residential mortgage for a property located within the Township of Pennsauken: (i) prior to the effective date of this Ordinance, and (ii) which is pending as of the effective date of this Ordinance, shall provide notice in accordance with subsection (b) of Section 3.

- B. Within 10 days of filing a summons and complaint with the New Jersey Superior Court in an action to foreclose on a commercial and/or residential mortgage for a property located within the Township of Pennsauken, the creditor shall notify the Township Clerk, or his/her designee, of the action. Such notice shall include:
- (1) The address, block, and lot of the subject property;
 - (2) The date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing;
 - (3) Whether the property is vacant and abandoned in accordance with the definition of "vacant and abandoned" in this Article II, Chapter 244, Section 1 (Definitions);
 - (4) The full name, address, telephone number, and email address for the representative of the creditor who is responsible for receiving notice of complaints of property maintenance and code violations;
 - (5) The full name, address, telephone number, and email address of any person or entity retained by the creditor or a representative of the creditor to be responsible for any care, maintenance, security, or upkeep of the property; and
 - (6) If the creditor is out-of-State, the full name, address, and telephone number of an in-State representative or agent who shall be responsible for any care, maintenance, security, or upkeep of the property, and for receiving notice complaints of property maintenance and code violations.
 - (7) The notice requirements herein represent a continuing obligation throughout the pendency of the foreclosure action. After initial notice to the Township, creditors subject to the notice requirement shall update the Township's property registration program within 10 days of any change in the information contained in the original or any subsequent notices.
- C. Creditors of any commercial and/or residential mortgage required to notify the Township pursuant to this section shall:
- (1) Register the property with the Township's property registration program as a property in foreclosure, within 30 days of notifying the Township;
 - (2) Be subject to the registration fee, notice requirements, and penalties for non-compliance established within this Article II;
 - (3) Update the property registration within 10 days of any change in the information contained in the original notice to the Township;
 - (4) If an out-of-State creditor, appoint an in-state representative or agent to act for the foreclosing creditor, whose contact information shall be contained within the initial notice to the Township;
 - (5) Within 10 days of the property becoming vacant and abandoned at any time during the pendency of the foreclosure action, the creditor shall:
 - (a) Assume responsibility for the care, maintenance, upkeep, and security of the exterior of the property, which shall include:
 - (i) Keeping the property free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including but not limited to furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned;

- (ii) Keeping the property free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure;
 - (iii) Keeping all pools and spas free from stagnant water so the water structure remains clear of pollutants and debris.
- (b) Secure the property against unauthorized entry, which shall include but not be limited to the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window;
 - (c) Post a sign on the inside of the property, visible to the public, no smaller than 18 inches by 24 inches, containing the name, address, telephone number, and email address of the creditor, or an out-of-State creditor's in-State representative or agent, for the purpose of receiving service of process;
 - (d) If different than the person receiving service of process, the sign posted inside the property must also include the name, address, telephone number, and email address of the person responsible for day-to-day supervision and management of the building;
 - (e) Post the property with "no trespassing" signs of a nature sufficient to give notice to any person entering upon the property that it is against the law to enter the property without permission of the creditor;
 - (f) Acquire and maintain a vacancy insurance policy which covers any damage to any person or any property caused by any physical condition of the property while registered with the Township's property registration program;
 - (g) Provide proof, within 10 days of receiving a request by the Township or its designee, that the above conditions have been satisfied.
 - (h) Cure any violations of the above requirements within 30 days of receiving a notice of violation, or if deemed to present an imminent threat to public health and safety, within 10 days of receiving such notice.
- (6) Update the property registration within 10 days of the creditor becoming aware that the property is deemed vacant and abandoned as defined herein.
- D. If at any time the creditor is deemed to be in violation of the above requirements, and/or if the property is deemed to be in violation of any other applicable local or state maintenance, health, or safety codes, the Code Official or his/her designee shall notify the creditor using the contact information provided in the property registry established by this Article II.

§ 244-4. Fees, Violations & Penalties.

- A. All fees, penalties, and/or fines established within this Article and assessable pursuant to the Township's authority outlined within P.L. 2021, c.444 shall be deemed a municipal charge in accordance with N.J.S.A. 54:5-1, *et seq.*
- B. Creditors required to notify the Township and register a property as one in foreclosure shall be required to pay the following annual registration fee, per property, due at the time of registration: \$500.00.
- C. If a property registered with the Township's registration program as a property in foreclosure is vacant and abandoned at the time of registration, or becomes vacant and abandoned at any time during the pendency of the foreclosure proceeding, the Creditor

shall pay an additional annual registration fee, per property, due at the time the determination that the property is vacant and abandoned is made, of: \$2,000.00.

D. Violations

(1) An out-of-State creditor subject to the notice and registration requirements of this Article II, found to be in violation of the requirement to appoint an in-State representative or agent, shall be subject to a fine of \$2,500 for each day of the violation. The violation shall be deemed to commence on the day after the creditor's initial 10 or 30-day requirement to notify the Township of applicable foreclosure actions.

(2) A creditor subject to the notice and registration requirements of this Article II, found to be in violation of any part of this ordinance (with the exception of a violation pursuant to sub-section (d)(1) if this Section 4), shall be subject to a fine of \$1,500 for each day of the violation. The violation shall be deemed to commence on the 31st day following the creditor's receipt of a notice of violation, or if deemed to present an imminent threat to public health and safety, on the 11th day following the creditor's receipt of such notice.

E. If the Township expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the creditor was given notice pursuant to this Article II, but failed to abate the nuisance or correct the violation as directed, the Township shall have the same recourse against the creditor as it would have against the title owner of the property, including but not limited to the recourse provided under N.J.S.A. 55:19-100, *et seq.*

ARTICLE IV. Repealer, Severability, and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. The fines and penalties established within this Ordinance shall be considered cumulative, and not superseding, as a remedy available to the Township in addition to those which may also apply under any other applicable Township ordinance, or other applicable local, County, or State law or regulation.
- D. This Ordinance shall become effective immediately upon adoption and publication in the manner prescribed by law.

Committeeman DiBattista moved motion to open floor for public hearing
Committeeman Olivo second motion
An affirmative 5/0 voice vote was recorded.

Committeeman DiBattista moved motion to close floor for public hearing
Committeeman Olivo second motion.
An affirmative 5/0 voice vote was recorded.

Motion To Adopt on SECOND reading:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>			√			
<i>Martinez</i>		√	√			
<i>Roberts</i>			√			
<i>Rafeh</i>			√			
<i>DiBattista</i>	√		√			

No Public Wished To Comment

2022:20 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF PENNSAUKEN CHAPTER 141 ENTITLED “DESIGN-BUILD REGULATIONS FOR MUNICIPAL PROJECTS”

WHEREAS, on April 30, 2021, the New Jersey legislature passed the Design-Build Construction Services Procurement Act, N.J.S.A. 40A:11-53 et seq., (the “Act”), which amended Title 40A:11-1 et seq. of the Local Public Contracts Law, to allow municipal capital projects to be procured using the design-build method; and

WHEREAS, the Township Committee, pursuant to Resolution 2022:240, which is incorporated herein, has determined that the design-build method would be an appropriate procurement method for the Township’s new Community Center for the reasons contained therein; and

WHEREAS, the Township Committee desires to comply with all legal requirements of the Act, which include, but are not limited to, the requirement that the municipality generate and publish local regulations, N.J.S.A. 40A:11-54(a)(2); and

WHEREAS, the Department of Community Affairs, on May 27, 2022 issued its design-build regulations, which are codified at N.J.A.C. 5:34-10; and

WHEREAS, the Township Committee now desires to approve local Township regulations, consistent with the DCA’s design-build regulations, which Township regulations are attached hereto and incorporated by reference herein.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey, as follows:

1. The Township’s design-build regulations, attached hereto, are hereby approved by the Township Committee for use and application on designated Township projects, including the new Community Center; and
2. The regulations shall be published consistent with the Township procedure; and
3. All Ordinances or parts of Ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect upon due publication and final enactment as provided by law.

Committeeman DiBattista moved motion to open floor for public hearing
 Committeeman Olivo second motion
 An affirmative 5/0 voice vote was recorded.

Committeeman DiBattista moved motion to close floor for public hearing
 Committeeman Olivo second motion.
 An affirmative 5/0 voice vote was recorded.

Motion To Adopt on SECOND reading:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>		√	√			
<i>Martinez</i>			√			
<i>Roberts</i>	√		√			
<i>Rafeh</i>			√			
<i>DiBattista</i>			√			

No Public Wished To Comment

2022:316 RESOLUTION AUTHORIZING A WINDOW CONTRACT FOR A YORK 4 TON COOLING (HVAC) ONLY REPLACEMENT AT THE FIRE DEPARTMENT- 5301 LEXINGTON AVE (AM BOTTE MECHANICAL, LLC)

Whereas, the Township of Pennsauken has determined that there is a need for the replacement the York 4-ton cooling (HVAC) at the Pennsauken Fire Department at 5301 Lexington Ave; and

Whereas, N.J.S.A. 40A:11-3 states that a contract, the cost of which will not exceed \$44,000 in a fiscal year, shall be awarded without public advertising for bids and bidding therefore, but N.J.S.A. 40A:11-6.1 provides that prior to the award of said contract, the municipality shall solicit quotations whenever practicable for a contract, the estimated cost of which is fifteen percent or more of the bid threshold, and award the contract to the entity who submitted the most advantageous quotation price and other factors considered; and

Whereas, Fire Chief, at the Pennsauken Township Fire Department obtained a quote for the replacement for York 4-ton Cooling (HVAC) the from AM Botte Mechanical, LLC, 630 Delsea Dr, Sewell, NJ 08080 in the amount of \$11,000.00; and

Whereas, the Chief Financial Officer of the Township of Pennsauken, as required by N.J.A.C. 5:30-1, has certified that there are sufficient funds available for the purpose of awarding a contract to said entity, to encumber funds against budget account C-04-22100-104

Now, Therefore, Be It Resolved by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, as follows:

1. The Township Committee for the aforementioned reasons, hereby declares that AM Botte Mechanical, LLC 630 Delsea Dr, Sewell, NJ 08080 submitted a quotation and hereby awards a contract to said entity for the aforesaid services in an amount not to exceed \$11,000.
2. AM Botte Mechanical, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that has not made any reportable contributions to a political or candidate committee in the Township of Pennsauken in the previous one year, and that the contract will prohibit AM Botte Mechanical, LLC Inc. from making any reportable contributions through the term of the contract.
3. The Township Committee hereby directs the Township Administrator and the Township Clerk to execute any contract documents which are necessary to effectuate the terms of this resolution, subject to review, revision and approval by the Township Solicitor.
4. That the Business Disclosure Entity Certification and the Determination of Value to be placed on file with this resolution.

**2022:317 RESOLUTION RESCINDING RESOLUTION 2022:278 LIQUOR LICENSE
#0427-33-032-006 DJ BEVERAGE, LLC IN THE YEAR 2022-2023**

WHEREAS, the Township of Pennsauken adopted Resolution 2022:278 at its meeting of June 16, 2022, and;

WHEREAS, the State Alcoholic Beverage Commission notified the Clerk's office the licensee did not complete the required 12:39 Special Ruling to Permit Renewal of Inactive License Pursuant to N.J.S.A. 33:1-12.39 in a timely manner;

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Pennsauken, Camden County hereby rescinds Resolution 2022:278.

**2022:318 RESOLUTION GRANTING RENEWAL OF LIQUOR LICENSE 0427-33-032-006 DJ
BEVERAGE, LLC IN THE YEAR 2022-2023**

WHEREAS, APPLICATIONS HAVE BEEN FILED WITH THE TOWNSHIP CLERK FOR THE RENEWAL OF LIQUOR LICENSES NOW IN EFFECT IN THE TOWNSHIP OF PENNSAUKEN, AND

WHEREAS, PROPER RENEWAL FEES HAVE BEEN PAID AND NO OBJECTIONS HAVE BEEN FILED AGAINST THE PROPERTY, AND

WHEREAS, THE STATE SUPPLIED A 12:39 EXTENTION WHICH HAD BEEN APPLIED FOR AND GRANTED.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN, IN THE COUNTY OF CAMDEN, STATE OF NEW JERSEY, THAT THE LICENSE BE RENEWED WITH THE CONTINUANCE OF ALL TERMS AND CONDITIONS IMPOSED BY THE TOWNSHIP COMMITTEE IN PRIOR YEARS. THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO PREPARE AND ISSUE THE LICENSE WITH TERMS AND CONDITIONS FOR THE YEAR 2022-2023.

BE IT FURTHER RESOLVED THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE ALCOHOLIC BEVERAGE CONTROL COMMISSION, AND TO THE CHIEF OF POLICE OF THE TOWNSHIP OF PENNSAUKEN.

2022-2023 LIQUOR LICENSE - PLENARY RETAIL CONSUMPTION LICENSE

0427-33-032-006 DJ BEVERAGE, LLC
 Rt. 130 S.
 Pennsauken, NJ 08110

2022:319 CROSSING GUARD RESIGNATION (Michael Gallagher)

BE IT RESOLVED by the Township Committee Township of Pennsauken in the County of Camden and the State of New Jersey; that Michael Gallagher has resigned from his position of Crossing Guard.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Township Clerk to the Township Chief Financial Officer Chief of Police and Human Resources

**2022:320 RESOLUTION APPROVING THE REFUND OF \$175.00 FOR HOUSING RESALE PAYMENT
FOR THE SALE OF 7602 MAPLE AVENUE, PENNSAUKEN, NJ 08109**

WHEREAS, Yun Hui Chen of 28 E. Main Street, Maple Shade, NJ 08052 made a deposit with the Township of Pennsauken in the amount of \$175.00 for the Housing Resale/Transfer of Ownership located at 7602 Maple Avenue, Pennsauken, NJ 08109.

WHEREAS, THE Construction Official of the TOWNSHIP OF PENNSAUKEN is satisfied that the payment was made, and a refund should be issued because the property is a commercial property and subject to a commercial sale fee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the TOWNSHIP OF PENNSAUKEN, County of Camden, and State of New Jersey that the sum of \$175.00 is returned to Yun Hui Chen of 28 E. Main Street, Maple Shade, NJ 08052.

CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official, Finance Department, and the Manager of the Building & Housing Department.

2022:321 TOWNSHIP OF PENNSAUKEN APPLICATION FOR LOCAL CANNABIS LICENSE

WHEREAS, the Township Committee of the Township of Pennsauken has moved forward with ordinances to approve cannabis locations, and

WHEREAS an application for cannabis for the Township has been completed and attached as exhibit A, and

WHEREAS the application will be a major component in solidifying a location for cannabis.

BE IT RESOLVED, the Township Committee of the Township of Pennsauken hereby approves exhibit "A" as the official application for cannabis.

Motion To Adopt on FIRST reading:

Name	Motion	Second	Aye	Nay	Abstain	Absent
<i>Olivo</i>		√	√			
<i>Martinez</i>			√			
<i>Roberts</i>			√			
<i>Rafeh</i>			√			
<i>DiBattista</i>	√		√			

No Public Wished To Comment

DEPARTMENT REPORTS: FIRE/EMS & POLICE

Deputy Mayor Roberts moved motion to file department reports.
Committeeman Martinez second motion
An affirmative 5/0 voice vote was recorded.

PUBLIC COMMENTS

Deputy Mayor Roberts moved motion to open floor for public hearing.
Committeeman Olivo second motion
An affirmative 5/0 voice vote was recorded.

Mrs. Thomas (from 7623 Tripoli Ave) I and all the residents who live in the Delair section are upset and fed up with all the music being played all day/night. We have contacted the police and they come out but seems to not help. We feel disrespected and it is inconsiderate to act in this manner with your neighbors. Yes, we all have the right to enjoy our spaces and enjoy it with

family members but to the point of disrespecting others its unacceptable. Is anybody enforcing our noise codes and what more should we as residents do.

- Captain Henkel apologized to Mrs. Thomas, and he assured her that he will investigate the addresses she is referring to. Also stated that since calls have multiplied due to loud excessive & unnecessary music/noise Chief Olivo put out a video stating that we no longer will go out to a property multiple times to give warnings. We will give you a warning on the first visit and on the second visit you will receive a summons.
- Solicitor Galella also stated that she as resident can contact police and sign the complaint since she was the witness.
- Committeeman DiBattista assured her that this will personally look into this as well, and he also apologizes to her for having to go through this. He also agrees that we all must be a little more respectful and mindful towards one another.
- Mayor Rafeh assured Mrs. Thomas they will look in it and thanked her for coming in and making them aware of the ongoing issue.

Committeeman DiBattista moved motion to close floor for public hearing.

Committeeman Martinez second motion

An affirmative 5/0 voice vote was recorded

COMMITTEE COMMENTS

Mayor Rafeh

- Thank you to Mrs. Thomas for coming in and making us aware of the issues you are facing in your neighborhood. We would not have known if you wouldn't of came and informed us. Thank you. Now we are aware, and we will act on this.
- This past weekend we had our Jr Police Academy graduation. Thank you to all our instructors and thank you to everyone who participated in making this happen. The kids had a wonderful week. This up coming week will be the Jr Fire Academy and I cannot wait to see what surprise they have for the kids.
- We are coming to an end on summer activities but please stay safe if you have symptoms stay home get tested and take care of yourself.

Deputy Mayor Roberts

- Mrs. Thomas we are here to serve you and that is exactly what we will do. Thank you for making us aware of the problem and I apologize for you having to go through this.
- Pleasure to have been at the Cooper River for the ribbon cutting of the revitalization of these parks. Stadium looks great and glad to see people utilizing them.
- Jr Police Academy went great the kids learned a lot and are now having a pool day.
- Stay safe everyone and enjoy your weekend.

Committeeman DiBattista

- Mrs. Thomas thank you for coming in and informing us of what goes on in town. If the residents do not come in and let us know we cannot act on it.
- As Director of Public Safety, it is one of my priorities to be part of making this town safer. This is why we have a substation on Westfield Ave and having the officers integrate more into the community. We want to see firsthand what can be better and what should change.
- Jr Police Academy graduation was a success. And Jr Fire Academy graduation will be this week. Having kids see and be part of such program it inspires them to be a Policeman or a Firefighter. We are here to lead the way.

- Skate park will be opening this weekend we will have a ribbon cutting event and ready to skate. Thank you for everyone's patience and everyone who participated in making this happen.

Committeeman Martinez

- MPLL is the new District Champions. Congratulations to them, all the coaches that volunteer, all the parents that participate and everyone who helps make all this happen.
- We still have a couple of summer programs open for registration. Ice Skating, Sports program, Bowling and more. Visit our website or call Juan Vazquez at 856-665-1000 x155.
- Fall registration for Football, Cheerleading and Soccer is available please register the kids and support our community.
- Again, congratulation MPLL on becoming champions.

Committeeman Olivo

- Mrs. Thomas a lot of people voice their opinions on social media and outside and although we do not always see all of them or hear all of them, very few come in and voice them to us. Thank you for coming in and thank you for speaking up. I know we will help in resolving this matter.
- Last week Jr Academy graduation happened, and I hear they had an awesome time. Congrats Class of 2022.

Note: Administrator Tim Killion reminded everyone next meeting is August 4th at 6pm.

ADJOURNMENT

Time: 6:49 pm

Committeeman DiBattista move motion to Adjourn.

Committeeman Olivo second motion.

An affirmative 5/0 voice vote was recorded.

Respectfully Submitted,
Deputy Clerk, Ana Matos