Legislation Details (With Text)

File #:	22-0660	**Version:**	1	**Name:**	Resolution of Support for Canna P Farms, LLC to operate a Class I Cannabis Cultivator Business
Type:	Resolution			**Status:**	Adopted
File created:	4/28/2022			**In control:**	Administration
On agenda:	6/2/2022			**Final action:**	6/8/2022
Title:	Dept./ Agency: Administration Action: ( ) Ratifying (X) Authorizing ( ) Amending Type of Service: Resolution of Support Purpose: To provide a Resolution of Support for Canna P Farms, LLC to operate a Class I Cannabis Cultivator Business within the City of Newark. Additional Information: Pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2(4); nothing in this Resolution prohibits the City of Newark to revoke its support and rescind the conditional license. Deferred 7R1-h 060222				
Sponsors:	LaMonica R. McIver, Anibal Ramos, Jr., John Sharpe James				
Indexes:					
Code sections:					

Date	Ver.	Action By	Action	Result
6/8/2022	1	Municipal Council	Adopted as Amended	Pass
6/8/2022	1	Municipal Council	Motion to amend	Pass
6/2/2022	1	Municipal Council	Defer to a Special Meeting	Pass

Dept./ Agency: Administration
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Purpose: To provide a Resolution of Support for Canna P Farms, LLC to operate a Class I Cannabis Cultivator Business within the City of Newark.
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Pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2(4); nothing in this Resolution prohibits the City of Newark to revoke its support and rescind the conditional license.
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WHEREAS, on November 3, 2020, voters in the State of New Jersey approved public Question #1, which amended the Constitution of the State of New Jersey to legalize the Adult-Use of marijuana, also known as cannabis, for persons ages 21 and older and legalizes the cultivation, processing and sale of retail marijuana; and

WHEREAS, on February 22, 2021, Governor Philip D. 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 Adult-Use of marijuana by person 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational ("adult use") cannabis operations, use, and possession; and

WHEREAS, the City of Newark (the "City") is designated as both an "Economically

Disadvantaged Area" and an "Impact Zone", which are defined in the cannabis regulations and the Act for purposes of furthering principles of social justice, and in which the Cannabis Regulatory Commission shall prioritize applications for licenses; and

WHEREAS, Section 31 of the Act authorizes municipalities to adopt an ordinance to permit or prohibit one or more classes of licensed businesses; and

WHEREAS, pursuant to the provisions of N.J.S.A. 17:30-5.1, the City adopted Ordinance 6PSF-aa on August 19, 2021 creating Title XIV Cannabis, and R.O. 6PSF-a(s) on November 23, 2021 amending Title XIV Cannabis, to the Revised General Ordinances of the City of Newark, as amended, to permit and regulate adult-use and license cannabis establishments; and

WHEREAS, pursuant to N.J.S.A. 24:6I-45(b) and/or N.J.S.A. 24:6I-36(d)(1)(c)(iv), the City adopted Ordinance 6PSF-ab(s) on August 14, 2021 amending Title XLI Zoning, of the Revised General Ordinance of the City of Newark, as amended to adopt land use regulations pertaining to cannabis activities; and

WHEREAS, the City has established a local licensing process for issuance of a cannabis license from the Department of Administration; and

WHEREAS, the City announced that applications for the local cannabis endorsement could be submitted to the City between December 1, 2021 and December 31, 2021; and

WHEREAS, license applications to the Cannabis Regulatory Commission are required to submit proof of local support for the suitability and appropriateness of its business location from a municipality, pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2 (4); and

WHEREAS, the applicant, Canna P Farms, LLC (the "License-Applicant") has sought such a resolution of support to apply for a state license to operate a licensed Class 1 Cannabis Cultivation business at the proposed address 157-169, 171 Foundry Street, located within the City of Newark; and

WHEREAS, pursuant to N.J.S.A. 24:6I-45.c.(1), the City of Newark upon receipt of such application is authorized to determine whether the application complies with its local restrictions on cannabis businesses, and pursuant to N.J.S.A. 24:6I-45.c.(2) is authorized to notify the Cannabis Regulatory Commission if it approves or denies each application forwarded to it; and

WHEREAS, the City has reviewed and considered the request of the License-Applicant to conduct the cannabis business at the location described above; and

WHEREAS, the City has determined that it has authorized the type of cannabis business license being sought by the License-Applicant to operate within its jurisdiction; and

WHEREAS, the City has imposed a limit of five (5) Cultivator cannabis business licenses (not inclusive of microbusiness licenses) within its jurisdiction, the issuance of a license to the License-Applicant by the Cannabis Regulatory Commission would not exceed that limit as of the date of this Resolution; and

WHEREAS, the City has determined that the proposed location is zoned for the proposed

activity related to the operations of the proposed cannabis business to be conducted by the License-Applicant.

NOW, THEREFORE, BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The City of Newark hereby authorizes the issuance of this Resolution of local support for Canna P Farms, LLC and the purpose described herein and is intended to satisfy the requirements of the Cannabis Regulatory Commission for proof of local support for the License-Applicant pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2(4).

2. The applicant, Canna P Farms, LLC, shall be required to work through the City of Newark's Office of Workforce Development for employee recruitment; include local construction companies through labor agreements with unions for the construction and renovation of the building; and provide 2% of net profits be contributed to local Newark organizations.

3. Nothing in this Resolution shall preclude the Mayor of the City of Newark and/or the Municipal Council from issuing additional resolutions of municipal support to other applicants, nor shall it limit the Mayor of the City of Newark and/or Municipal Council's authority with respect to any request for input from the Cannabis Regulatory Commission as to the City's preferred licensee should more applicants seek licenses within the City than are available under the City's local ordinances.

4. This Resolution provides support from the City of Newark on a conditional basis as the License-Applicant has received a conditional license from the City and if it does not comply with the requirements given to them in the Approval Letter, R.O. 6PSF-aa 081921, R.O. 6PSF-a(s) 112321, and/or R.O. 6PSF-ab(s) 081921 the City of Newark reserves the right to revoke said licensee and support.

STATEMENT

This Resolution hereby declares that the City of Newark is providing local support on a conditional basis to Canna P Farms, LLC, to operate a Class I Cannabis Cultivation business, pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2(4); nothing in this Resolution prohibits the City of Newark to revoke its support and rescind the conditional license.

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