

**TOWNSHIP COUNCIL WORKSHOP AGENDA**

MONDAY, NOVEMBER 13, 2023  
7:00 P.M.

**SALUTE TO THE FLAG**

**STATEMENT OF PUBLIC NOTICE** - TAKE NOTICE THAT ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED IN ACCORDANCE WITH N.J.S.A. 10:4-8 AND N.J.S.A. 10:4-10 AS FOLLOWS: A NOTICE OF THE MEETING WAS PROMINENTLY POSTED ON THE BULLETIN BOARD AT THE MUNICIPAL BUILDING, LOCATED AT 225 MAIN STREET, LITTLE FALLS, N.J. ON JANUARY 5, 2023. A COPY OF THE NOTICE WAS MAILED TO THE NORTH JERSEY HERALD & NEWS AND THE RECORD ON THE SAME DATE. ADDITIONALLY, A COPY OF THE NOTICE WAS FILED IN THE OFFICE OF THE TOWNSHIP CLERK ON SAID DATE.

**A LINK AND A TELEPHONE NUMBER TO JOIN THE MEETING VIRTUALLY CAN BE ACCESSED ON THE TOWNSHIP WEBSITE AT [WWW.LENJ.COM](http://WWW.LENJ.COM). ELECTRONIC PROVISIONS HAVE BEEN ESTABLISHED FOR THE PUBLIC TO PARTICIPATE DURING THE PUBLIC COMMENT PORTION OF THE MEETING.**

**ROLL CALL**

EPILEPSY AWARENESS MONTH PROCLAMATION

ALZHEIMER'S DISEASE AWARENESS MONTH PROCLAMATION

**PUBLIC COMMENT - GENERAL MATTERS AND AGENDA ITEMS**

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. IT IS PREFERRED IF YOU GIVE YOUR NAME AND ADDRESS FOR THE RECORD. COMMENTS ARE TO BE LIMITED TO THREE MINUTES, HOWEVER, IF APPROPRIATE, YOU MAY BE GRANTED ADDITIONAL TIME IN THE SOLE DISCRETION OF THE COUNCIL PRESIDENT.

MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIRTUALLY AND DESIRE TO PROVIDE COMMENT SHALL RAISE THEIR VIRTUAL HAND IN THE ZOOM APPLICATION. THE MEETING MODERATOR WILL QUEUE THE MEMBERS OF THE PUBLIC THAT WISH TO PROVIDE COMMENT AND THE COUNCIL PRESIDENT WILL RECOGNIZE THEM IN ORDER. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING BY CALLING IN MUST PRESS \*6 TO MUTE AND UNMUTE THEMSELVES AND \*9 TO RAISE THEIR HAND. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIA THE ZOOM APPLICATION MUST CLICK THE REACTIONS ICON AND THEN THE RAISE HAND ICON. ONCE THE PROCESS IS COMPLETE, WE WILL RETURN TO THE REGULAR ORDER OF BUSINESS.

**ITEMS TO BE DISCUSSED:**

**MAYOR/ADMINISTRATOR:**

1. RESOLUTIONS AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH RENTERS OF AFFORDABLE HOUSING UNITS (RESOLUTIONS A-C)
2. RESOLUTION AUTHORIZING PURCHASE OF ROCK SALT UNDER THE MORRIS COUNTY COOPERATIVE
3. ORDINANCE NO. 1474 - CANNABIS

**ACTION ITEMS:**

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 302, LITTLE FALLS, NJ [A]

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 202, LITTLE FALLS, NJ [B]

RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED AT 405 MAIN STREET, UNIT 137, LITTLE FALLS, NJ [C]

RESOLUTION AUTHORIZING THE PURCHASE OF ROCK SALT UNDER THE MORRIS COUNTY COOPERATIVE [D]

BILL LIST [E]

**NEW BUSINESS**

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 1474, AN ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LITTLE FALLS, ADMINISTRATION OF GOVERNMENT, SECTION 33, CANNABIS".

**COUNCIL TOPICS FOR DISCUSSION****PUBLIC COMMENT – AGENDA ITEMS ONLY**

ANYONE WISHING TO ADDRESS THE TOWNSHIP COUNCIL MAY DO SO THROUGH THE COUNCIL PRESIDENT. IT IS PREFERRED IF YOU GIVE YOUR NAME AND ADDRESS FOR THE RECORD. COMMENTS ARE TO BE LIMITED TO THREE MINUTES, HOWEVER, IF APPROPRIATE, YOU MAY BE GRANTED ADDITIONAL TIME IN THE SOLE DISCRETION OF THE COUNCIL PRESIDENT.

MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIRTUALLY AND DESIRE TO PROVIDE COMMENT SHALL RAISE THEIR VIRTUAL HAND IN THE ZOOM APPLICATION. THE MEETING MODERATOR WILL QUEUE THE MEMBERS OF THE PUBLIC THAT WISH TO PROVIDE COMMENT AND THE COUNCIL PRESIDENT WILL RECOGNIZE THEM IN ORDER. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING BY CALLING IN MUST PRESS \*6 TO MUTE AND UNMUTE THEMSELVES AND \*9 TO RAISE THEIR HAND. MEMBERS OF THE PUBLIC WHO HAVE JOINED THE MEETING VIA THE ZOOM APPLICATION MUST CLICK THE REACTIONS ICON AND THEN THE RAISE HAND ICON. ONCE THE PROCESS IS COMPLETE, WE WILL RETURN TO THE REGULAR ORDER OF BUSINESS.

**ADJOURN**

**RESOLUTION [A] 23-11-13 - #\_\_\_\_\_**

**RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 302, LITTLE FALLS, NJ 07424**

**WHEREAS**, Kimberly V Eke [will rent/rents] property located at 405 Main St, Unit 302, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

**WHEREAS**, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

**WHEREAS**, the Township is willing to extend a grant to the tenant in the amount of \$1,253.00.

**NOW THEREFORE BE IT RESOLVED** on this 13<sup>th</sup> day of November, 2023, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 302, Little Falls, NJ 07424.

**CERTIFICATION**

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the 13<sup>th</sup> day of November, 2023.

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Cynthia Kraus, Clerk

**RESOLUTION [B] 23-11-13 - #\_\_\_\_\_**

**RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN  
AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 202 , LITTLE FALLS, NJ 07424**

**WHEREAS**, Rasheedah T Morrieson [will rent/rents] property located at 405 Main St, Unit 202, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

**WHEREAS**, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

**WHEREAS**, the Township is willing to extend a grant to the tenant in the amount of \$1,554.00.

**NOW THEREFORE BE IT RESOLVED** on this 13<sup>th</sup> day of November 2023, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 202, Little Falls, NJ 07424.

**CERTIFICATION**

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the 13<sup>th</sup> day of November, 2023.

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Cynthia Kraus, Clerk

**RESOLUTION [C] 23-11-13 - # \_\_\_\_\_**

**RESOLUTION AUTHORIZING AFFORDABILITY ASSISTANCE GRANT WITH THE RENTER OF AN AFFORDABLE HOUSING UNIT LOCATED 405 MAIN ST, UNIT 137 , LITTLE FALLS, NJ 07424**

**WHEREAS**, Rashon K Stroman [will rent/rents] property located at 405 Main St, Unit 137, Little Falls, NJ 07424, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

**WHEREAS**, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

**WHEREAS**, the Township is willing to extend a grant to the tenant in the amount of \$1,098.00.

**NOW THEREFORE BE IT RESOLVED** on this 13<sup>th</sup> day of November, 2023, by the Township Council of Little Falls, County of Passaic, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and attorney are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit at 405 Main St, Unit 137, Little Falls, NJ 07424.

**CERTIFICATION**

I, Cynthia Kraus, Clerk of the Township of Little Falls, certify that the foregoing resolution was adopted by the Township Council of the Township of Little Falls at its meeting held on the 13<sup>th</sup> day of November, 2023.

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Cynthia Kraus, Clerk

**RESOLUTION [D] 23-11-13 - # \_\_\_\_\_**

**ACCEPTING BID AND AWARDING CONTRACT FOR THE VENDORS LISTED BELOW FOR THE  
2024 WINTER PRODUCTS  
UNDER MORRIS COUNTY COOPERATIVE PURCHASING  
CONTRACT PERIOD OCTOBER 15, 2023 THROUGH OCTOBER 14, 2024**

**WHEREAS**, the Morris County Purchasing Agent has advised that pursuant to advertising duly made, bids were received by the County of Morris as lead agency for the Cooperative Pricing System for the furnishing and delivery of

Bulk Rock Salt,

for the Contract period October 15, 2023 to October 14, 2024; and

**WHEREAS**, Morris County Cooperative as lead agency, based on review of bids and the resulting recommendation, has awarded a master contract for this commodity; and

**WHEREAS**, the Township of Little Falls wishes to participate in the master contract for the purchase of **WINTER PRODUCTS** because the price under the contract is lower than the prices quoted to the Township by other suppliers; and

**WHEREAS**, the Township Treasurer has provided a Certification of the Availability of Funds pursuant the Local Finance Board; and the appropriation to be charged for this expenditure is Department of Public Works Other Expenses;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Little Falls as follows:

- 1) That the following bids be awarded for purchases to be made on an as-needed basis:  
Morton Salt  
Bid: \$94.31 per ton

the award being based upon the unit price; and payment to be made based upon the unit price multiplied by the quantities, be and the same is hereby accepted; and

- 2) That the Mayor and Clerk be and they are hereby authorized to execute a Contract for the purchase of the within designated goods at the bid price hereinabove cited.

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APPROVED: \_\_\_\_\_

cc: Finance Dept.

DPW

Morris County Cooperative

## ORDINANCE NO. 1474

### AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LITTLE FALLS, ADMINISTRATION OF GOVERNMENT SECTION 33 CANNABIS

**WHEREAS**, the Township of Little Falls ("Township") is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Township's Code of General Ordinances ("Code") currently provides for the establishment of regulating Cannabis; and

**WHEREAS**, the municipal council ("Municipal Council") of the Township has determined to amend

**§ 33 CANNABIS**, and

**WHEREAS**, the Municipal Council has determined to amend said Chapter of the Code to read as follows:

#### Chapter 33. Cannabis

[HISTORY: Adopted by the Township Council of the Township of Little Falls 8-9-2021 by Ord. No. 1420. Amendments noted where applicable.]

##### § 33-1. Purpose.

This chapter is authorized pursuant to the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," P.L. 2021, c. 016, and the implementing regulations promulgated by the Cannabis Regulatory Commission (collectively, the "Act"), which are hereby incorporated herein by reference, and shall be controlling unless more restrictive standards are prescribed herein. If any provision of this chapter is inconsistent with the statutes and/or regulations of the State of New Jersey, the state statutes and/or regulations shall govern.

##### § 33-2. Definitions.

For the purposes of this chapter, all terms shall be defined consistent with the Act. All definitions included in N.J.S.A. 24:61-33 are incorporated by reference herein. Additional definitions are as below:

#### PERMITTING AUTHORITY

The Cannabis Regulatory Commission ("CRC") established pursuant to Section 31 of P.L. 2019, c. 307 (C. 24:61-24) or other entity with regulatory jurisdiction over adult- use cannabis.

##### § 33-3. Local licensing authority.

- A. A local license shall be required to operate a cannabis establishment, as defined in the Act and as allowed by ordinance, in the Township. The Township Clerk is hereby designated to act as the local licensing authority for the Township for all cannabis establishments.
- B. Under no circumstances shall the Township Clerk receive or act upon any application for local licensing of a cannabis establishment if the permitting authority has not issued the appropriate conditional or final state license. It is the intent of this chapter that no cannabis establishment may lawfully operate in the Township absent the issuance of the appropriate state license and full regulatory oversight of the cannabis establishment by the permitting authority as well as that of the Township.
- C. The Township Clerk shall receive all applications for local licensing of a cannabis establishment. Said License application shall be reviewed by the Township Administrator and deemed complete before the applicant may apply for the appropriate zoning approval from the Township Land Use Board with jurisdiction over the application and a certificate of zoning compliance has been issued by the Zoning Officer.
- D. All cannabis establishments shall be subject to site plan review prior to commencing operations. Submitted plans shall depict parking and loading areas, floor plans, building elevations, signage, landscaping, and such other information as may be required by the Township.
- E. The Township Clerk, or his/her designee, shall be authorized to establish rules and regulations consistent with the intent of this chapter.
- F. Whenever the Cannabis Regulatory Commission established by the Act (the "Commission") forwards to the municipality any application for initial licensing or renewal of an existing license for any cannabis establishment or delivery service pursuant to Section 19 of the Act or for a cannabis consumption area pursuant to Section 28 of P.L. 2019, c. 153 (C. 24:61-21), or otherwise solicits the position of the municipality on any matter related to cannabis-related activities within the municipality,

or upon the request of an applicant for or holder of such license, the governing body shall determine whether the application complies with the municipality's restrictions on the number of cannabis establishments or delivery services, and on their location, manner, or times of operation, and promptly inform the Commission, applicant for or holder of a license whether the application complies with same and whether it either approves or denies each application or other request for municipal authorization forwarded to it.

§ 33-4. Local licensing application.

- A. Persons wishing to obtain a local license for a cannabis establishment shall file a license application with the Township Clerk, on a standardized form established by the Business Administrator and available in the Clerk's office and on the Township's website.
- B. An application shall be deemed incomplete, and shall not be processed by the Township Clerk, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

(1) The applicant shall submit proof of licensure by the permitting authority.

The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of the following: a deed, a lease, a real estate contract contingent upon successful licensing, or a letter of intent from the owner of the premises indicating an intent to lease the premises to the applicant contingent upon approval of required licenses.

The location proposed for licensing by the applicant shall comply with all applicable Township zoning laws and the location restrictions set forth herein.

The applicant shall submit an application fee of \$1,000 for a license. The amount of the nonrefundable application fee may be modified from time to time by subsequent duly adopted resolution of the Township Council.

Each subsequent year, the applicant will be required to recertify the qualifications to remain as a valid cannabis establishment under the laws of the state and the ordinances of the Township. The renewal application form will be prepared by the Business Administrator and available through the Township Clerk's office. The fee for the renewal application shall be \$5,000 annually.

The applicant and the contents of the application shall otherwise comply with any and all qualification standards set forth in the state and local laws, regulations, or requirements.

- C. The license as issued by the Township shall serve as written proof of the suitability of the cannabis establishment location from the Township. Other written statements, letters, resolutions, or other documents issued by the Township or any official, employee, or other representative shall not constitute annual or renewed "written, municipal approval" for purposes of the Act.

§ 33-5. Term of license and license renewals.

- A. Any license shall be valid for a period of one year from January 1 in each year. The respective fees for any such license shall be prorated according to the effective date of the license and based on the respective annual fee as in this chapter provided.
- B. The Township Clerk may, at his/her discretion, adjust the annual renewal date of the local license to correlate with an applicant's state licensing and renewal schedule, and the annual license fee shall be increased or decreased to prorate the period, accordingly.
- C. Upon renewal of a license, the licensee shall be governed by any amendments, additional restrictions, or changes in requirements adopted since the previous license was issued or renewed.
- D. Transfer of ownership of a license, change of location of any license, or modification to expand a licensed premise shall be treated as a new application, subject to Township land use review and approval. The application fee under such circumstances shall be ~~\$5,000. the same as a new license: \$1,000.~~
- E. If the licensee has received notice of violation of any law or regulation relating to their state license, including disciplinary action against any past or current cannabis license, the applicant for renewal shall include a copy of the notice of violation or disciplinary action with their application.

§ 33-6. Limitation of licenses.

[Amended 10-4-2021 by Ord. No. 1425]

~~No licenses shall be allowed for cannabis retailer as defined by the Act.~~

- A. Licenses shall be allowed for cannabis microbusinesses only for the categories of uses identified in this Chapter 33 and for no other uses.
- B. Nothing herein shall be read or construed in any manner to authorize or in any manner apply



to medical cannabis businesses of any type as defined by the Act.

- C. Permitted locations of cannabis establishments (including cannabis microbusinesses) are set forth in Ordinance 1415 amending Chapter **280**. No cannabis establishment can be located in any other zone than as listed in the amended Chapter **280**.

#### § 33-7. Restrictions.

- A. No building or structure associated with a cannabis establishment shall be located within 1,000 feet of any school property (including any property owned or leased by a public-school board).
- B. No cannabis establishment shall be located in a residence of any type such as a home office or similar arrangement.

#### § 33-8. Hours of operation.

All cannabis establishments shall limit their hours of operation from 6:00 a.m. to 10:00 p.m., Monday through Saturday.

#### § 33-9. Enclosed building.

All operations of a cannabis establishments shall occur within a single, or series of, completely enclosed buildings. No outdoor storage shall be permitted.

#### § 33-10. Security and reporting.

- A. There shall be at least two employees on continuous duty in any part of a cannabis establishment to which the public is invited.
- B. A cannabis establishment shall employ a security officer, or the premises shall have in operation a security device approved by the Chief of Police of the Township which may consist of a silent and/or audible burglar alarm connected to a central security monitoring system designed to activate police response, a closed circuit television connected to a central security monitoring system designed to activate police response, or such other device which can be activated instantaneously to notify law enforcement officers that a crime or disorderly person's activity is in progress.
- C. The Township Police Department shall be provided with the name and phone number of a contact person to notify during suspicious activity during or after operating hours. Security staff is required on the premises during all hours of operation.
- D. A burglarproof drop safe that regulates an employee's access to cash shall be used on the premises.
- E. The exterior portion of a cannabis establishment, including parking areas, shall be well lit during business hours. Said lighting shall be designed so as to not unduly interfere with any neighbor's reasonable use and/or enjoyment of the property.
- F. Fencing, a minimum of six feet in height, shall be installed around the loading and unloading area of the cannabis establishment.
- G. Security protocols shall be submitted to the Township Police Department for compliance review with all safety and security standards established by the state of cannabis establishments. The Township Police Department may, at their discretion and upon review of the proposed location, recommend or require additional safety and security measures.

#### § 33-11. Storage of products.

Cannabis plants, products, accessories, and associated paraphernalia shall not be visible from a public sidewalk, public street or right-of-way, or any other public place. On-site storage of usable cannabis shall comply with applicable federal, state and local laws and regulations.

#### § 33-12. Limitations on consumption or smoking on premises.

It shall be unlawful for any person 21 years of age or older to consume cannabis through means other than by smoking, vaping, or aerosolizing (e.g., edibles) in a public place, including any indoor public place as the term is defined in N.J.S.A. 26:3D-57.

#### § 33-13. Prevention of emissions and disposal of materials.

- A. A cannabis establishment must provide sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting the cannabis establishment. In the event that any debris, dust, fluids or other substances shall exit the business premises, the property owner and operator shall be jointly and severally responsible for the full cleanup immediately.
- B. A cannabis establishment shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with state regulations.
- C. Cannabis establishments must meet industry best practices for odor control.
- D. All state regulations concerning ventilation systems shall be followed.

§ 33-14. Transfer tax and user tax.

- A. In accordance with the Act, the Township shall impose a cannabis transfer tax on all receipts from the sale of cannabis, **valued at no less than the market price of said product being transferred, this will include all intra-company transfers made** by a cannabis cultivator to another cannabis cultivator and receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment in the following percentages:
- (1) 2% of the receipts from each sale by a cannabis cultivator.
  - (2) 2% of the receipts from each sale by a cannabis manufacturer
  - (3) 1% of the receipts from each sale by a cannabis wholesaler.
  - (4) **2% of receipt from each sale by a cannabis retailer.**
- B. In accordance with the Act, the user tax for the Township shall be imposed at equivalent cannabis transfer tax rates on any concurrent license holder operating more than one cannabis establishment in the Township.
- C. The user tax rate shall be assessed at 2% on any concurrent license holder operating more than one cannabis establishment. The user tax shall be imposed on the value, **as defined in section 33-14 A**, of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to this chapter, from the license holder's establishment that is located in the municipality to any of the other license holder's establishments, whether located in the municipality or another municipality.
- D. The transfer tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value, **as defined in section 33-14 A**, of the transfer for the cannabis or cannabis item. The user tax shall be stated, charged and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable or equivalent value **as defined in section 33-14 A**, of the transfer for the cannabis or cannabis item.
- E. All revenues collected from a transfer tax or user tax shall be remitted to the Township Chief Financial Officer in a manner prescribed by the Township. The Chief Financial Officer shall collect and administer any transfer tax or user tax. The Township shall enforce the payment of delinquent taxes or transfer fees in the same manner as provided for municipal real property taxes.

§ 33-15. Compliance with law.

A cannabis establishment shall comply with all applicable state and local laws and regulations.

§ 33-16. Revocation or suspension of license.

- A. The Township ~~Clerk~~ **Council, by resolution**, shall suspend or revoke any license if the corresponding state license for the subject location is expired, surrendered, suspended, or revoked.
- B. Where it is found that a licensee has engaged in a deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Township ~~Clerk~~ **Council, by resolution**, is authorized and empowered to immediately suspend any license or permit issued pursuant to this chapter and order that the licensee cease all operations until such time as the violations are abated.
- C. Any person aggrieved by the action of the Township ~~Clerk~~ **Council** in the denial of an application for license or the decision with reference to the revocation or suspension of a license in accordance with this section, shall have the right of appeal to the **Township** ~~Business~~ Administrator, or his/her designee. Such appeal shall be taken by filing with the **Township** ~~Business~~ Administrator, within 10 days of the action complained of, a written statement setting forth fully the grounds for the appeal. The **Township** ~~Business~~ Administrator, or his/her designee, may decide the matter on the papers or schedule a time and place for a hearing on such appeal. Notice of any such hearing shall be served upon the applicant/licensee (whichever is appropriate) or mailed, postage prepaid, to the applicant/licensee at the address given on the application for license in accordance with this chapter, at least five days prior to the date set for said hearing. The decision and order of the **Township** ~~Business~~ Administrator, or his/her designee, on such appeal shall be final and conclusive.

§ 33-17. Violations and penalties.

- A. Operation of any prohibited or unpermitted cannabis establishment within the municipality in violation of the provisions of this chapter is hereby declared a public nuisance and any such violation shall be abated pursuant to all available remedies.
- B. It shall be deemed a nuisance if a person, who is consuming, using, smoking, vaping, aerosolizing or imbibing cannabis, shall cause excessive odor or other

pollution to extend beyond the person's premises.

- C. Any person violating this chapter shall be subject to the penalties of \$1,000 per day of violation and each day constituting a separate violation.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the Township of Little Falls, Passaic County, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 33-Cannabis of the Code of the Township of Little Falls.
3. It is the intent of the Municipal Council to incorporate the additions and/or supplements contained in this Ordinance into the Code. All other ordinances enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.
4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
6. This Ordinance shall take effect upon its final passage by the Municipal Council,  
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PASSED: \_\_\_\_\_

ATTEST:

APPROVE:

\_\_\_\_\_  
Cynthia Kraus, Municipal Clerk

\_\_\_\_\_  
James Belford Damiano, Mayor