

# Borough of Stanhope

Sussex County, New Jersey

~Ordinance 2025-06~

## **"ORDINANCE ADOPTING A NEW CHAPTER 68 ENTITLED "CANNABIS LICENSE REQUIREMENTS" OF THE CODE OF THE BOROUGH OF STANHOPE TO ADD MUNICIPAL LICENSURE REQUIREMENTS FOR CANNABIS FACILITIES"**

**WHEREAS**, the Borough of Stanhope included a referendum question on the November 2024 General Election Ballot seeking public input as to whether retail cannabis businesses should be allowed in the Borough of Stanhope; and

**WHEREAS**, the voters in the November 2024 General Election voted in favor of allowing retail cannabis businesses as a permitted use within the Borough; and

**WHEREAS**, it is in the best interests of the Borough of Stanhope to establish a municipal licensing system to regulate and authorize retail cannabis businesses within the Borough of Stanhope.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Stanhope, County of Sussex and State of New Jersey, a new Chapter 68 "Cannabis License Requirements" is hereby added to the Revised General Ordinances of the Borough of Stanhope.

**Section 1.** A new Chapter 68, "Cannabis License Requirements" is hereby added to the Revised General Ordinances of the Borough of Stanhope, as follows:

### **Chapter 68 Cannabis License Requirements.**

68-1. Stanhope Borough Municipal Cannabis Retail License Requirements.

A. Any person, business or organization, prior to operating a cannabis retail business within Stanhope Borough, shall first apply for and secure from the Borough of Stanhope Council an annual local Class 5 cannabis retail license. A copy of the application shall be approved and may be amended by the Borough Council.

B. Applicants shall include the location of the proposed retail cannabis location, and any change in proposed location shall require submission of a new application to the Borough Council.

C. The Borough of Stanhope, through its Municipal Clerk, shall begin accepting applications for the annual local cannabis retail license 15 days following final passage of this Chapter. The period of each annual local cannabis establishment license shall

commence January 1 (or the date of issuance of the license), and expire on December 31 of the calendar year.

D. The number of licenses available for cannabis retail businesses shall be as established by Stanhope Borough Code Section 100-117.1(F), as may be amended. Once the number of licenses permitted by Stanhope Borough Code have been granted, the Borough Clerk shall maintain a waiting list of applicants for a license, in the order that complete applications have been made. A change in proposed location will not result in an applicant losing a conditional license or their place on the waiting list, so long as the Borough Council approves of the new location.

E. A retail cannabis establishment shall be required to maintain a retail license from the State of New Jersey Cannabis Regulatory Commission as a condition of holding a local annual cannabis retail license. An applicant is permitted to apply for a municipal cannabis retail license so long as the applicant shall have submitted a complete application to the Cannabis Regulatory Commission prior to submitting an application for a municipal cannabis license. The municipal cannabis retail license shall be displayed at all times.

F. By no later than December 1 of the license year, all licensees shall be required to again file an application for a local annual cannabis retail license to be authorized to continue operation as a retail cannabis establishment within the Borough of Stanhope.

G. All local retail cannabis establishments' licenses shall be conditional, and shall remain subject to all laws and regulations of the Borough of Stanhope and the State of New Jersey. Failure of any licensee to comply with such applicable laws shall be grounds for revocation and/or nonrenewal by the Borough of Stanhope. Upon receiving conditional approval for a municipal cannabis retail license from the Stanhope Borough Council, all retail cannabis establishments shall obtain approval from the Stanhope Borough Land Use Board, as required by Stanhope Borough Code Section 100-117.1(F), prior to commencing operations. Once Land Use Board approval is obtained, the retail cannabis establishment shall apply to the Borough Council for consideration and review for issuance of a final license.

H. The initial application fee for each local cannabis establishment license shall be \$5,000.00 and the renewal application fee shall be \$2,500.00. Such fees shall be non-refundable. An escrow in the initial amount of \$1,000.00 shall be established and replenished upon request for administrative and professional fees and costs relating to the application and oversight during the term.

I. Each application will be considered by the governing body at a publicly noticed meeting, and a resolution shall be adopted approving or disapproving of the license applied for.

J. Applicants granted a local cannabis retail license shall pay a non-refundable annual fee of \$10,000.00 prior to any license being issued, with such payment to be made to the Borough Clerk by January 1 of each calendar year, or within ten (10) days of the date the

license is granted by the Borough Council. Should the required annual fee not be paid, a license shall not be issued, and any prior license issued shall become null and void.

K. Applicants shall be required to comply with all municipal cannabis tax requirements, pursuant to Borough Code Chapter 123.

L. All local cannabis retail establishment licenses shall be non-transferrable.

M. All local cannabis retail establishments shall be subject to unannounced inspections by a designated representative of the Borough. Access shall be permitted to the designated representative.

**SECTION TWO.** Any article, section, paragraph, subsection, clause, or other provision of the Revised General Ordinance of the Borough of Stanhope inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION THREE.** If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

**SECTION FOUR.** This Ordinance shall take effect upon its passage and publication and filing with the Sussex County Planning Board, and as otherwise provided for by law.

ATTEST: Ellen Horak  
Ellen Horak, Borough Clerk

SIGNED:   
Mayor Eugene Wronko

Dated: 4-22-25