

**ORDINANCE NO. 2023-17**

**AN ORDINANCE OF THE TOWNSHIP OF OCEAN,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
AMENDING AND SUPPLEMENTING CHAPTER 125  
OF THE TOWNSHIP CODE ENTITLED  
“CANNABIS BUSINESSES”**

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Ocean, County of Ocean and State of New Jersey, that various sections of Chapter 125 of the Township Code entitled “Cannabis Businesses” is hereby amended and supplemented to read as follows:

**SECTION 1:**

**§125-1. Purpose.** Unchanged.

**§125-2. Definitions.** Unchanged.

**§125-3. Permitted Classes of Cannabis Businesses in Permitted Area.**

A. Unchanged.

B. Only cannabis businesses authorized by a Class 1 (Cannabis Cultivator), Class 2 (Cannabis Manufacturer), Class 3 (Cannabis Wholesaler), Class 4 (Cannabis Distributor), Class 5 (Cannabis Retailer), or a Medical Cannabis Dispensary license issued by the Cannabis Regulatory Commission, Department of the Treasury, State of New Jersey shall be permitted within the Township of Ocean.

C. Unchanged.

**§125-4. Licenses.**

A. Unchanged.

B. Unchanged.

C. Unchanged.

D. **Annual Registration Fee.** Within seven (7) days of receiving notice that an application for a license is granted, The applicant shall pay to the Township the annual registration fee set forth below. The annual registration fee shall be paid on or before the annual re-licensure application for the cannabis establishment. The annual registration fee is nonrefundable.

License	First Year Registration Fee	Annual Registration Fee
Class 1 (Cannabis Cultivator)	\$10,000.00	\$10,000.00
Class 2 (Cannabis Manufacturer)	\$10,000.00	\$10,000.00
Class 3 (Cannabis Wholesaler)	\$10,000.00	\$10,000.00
Class 4 (Cannabis Cultivator)	\$10,000.00	\$10,000.00
Class 5 (Cannabis Retailer)	\$10,000.00	\$10,000.00
Medical Dispensary	\$10,000.00	\$10,000.00

E. Unchanged.

F. Unchanged.

**§125-5. Operating requirements and prohibitions.**

Cannabis businesses shall be subject to the following specifications and standards, which shall constitute regulations application to a permitted use:

A. Unchanged.

B. Unchanged.

C. Unchanged.

D. Unchanged.

E. Unchanged.

F. Land use regulations. All cannabis establishments shall comply with: Chapter 410, Zoning, of the Code of the Township of Ocean; an applicable redevelopment plan; and all other applicable regulations.

G. Unchanged.

H. Unchanged.

**§125-6. Taxation.**

Local transfer and user taxes imposed:

A. Rates

- (1) It is hereby established a local transfer tax imposed on transactions that occur within the Township of Ocean between a cannabis business that holds a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, or any combination thereof medical cannabis dispensary, at the following rates:

- (a). cannabis cultivator 2%
- (b) cannabis manufacturers 2%
- (c) cannabis wholesaler 1%
- (d) medical cannabis dispensary 2%
- (e) cannabis retailer 2%

(2) It is hereby established a local user tax imposed on non-sale transactions that occur within the Township of Ocean between a cannabis business that holds a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, or any combination thereof, or medical cannabis dispensary, at the following rates:

- (a). User Tax for cannabis cultivator 2%
- (b) User Tax for cannabis manufacturers 2%
- (c) User Tax for cannabis wholesaler 1%
- (d) User Tax for medical cannabis dispensary 2%
- (e) User Tax for cannabis retailer 2%

- B. Unchanged.
- C. Unchanged.
- D. Unchanged.
- E. Unchanged.
- F. Unchanged.
- G. Unchanged.
- H. Unchanged.
- I. Unchanged.
- J. Unchanged.
- K. Unchanged.
- L. Unchanged.

**§125-7. Reserved.**

Unchanged.

**§125-8. Violations and penalties.**

Unchanged.

**§125-9. Revocation of license.**

Unchanged.

**SECTION 2:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3:** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4:** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Ocean on the 3<sup>rd</sup> day of August, 2023, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 15<sup>th</sup> day of August, 2023, at 6:00 PM. at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

**DASTI & STAIGER**  
ATTORNEYS AT LAW

310 Lacey Road | P.O. Box 779  
Forked River, NJ 08731

**DIANE B. AMBROSIO, RMC**, Clerk  
Township of Ocean

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