

2022-92

**RESOLUTION OF THE THE BOROUGH OF SOUTH TOMS RIVER AUTHORIZING LOCAL
SUPPORT FOR ALTITUDE CANNABIS FOR ITS CLASS 5 CANNABIS LICENSE TO THE
NEW JERSEY CANNABIS REGULATORY COMMISSION**

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

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, the State of New Jersey recognizes the need for additional cannabis licenses, both in the medical and adult use programs, both of which will collectively be regulated by the New Jersey Cannabis Regulatory Commission (“CRC”), as the successor regulator to the DOH; and

WHEREAS, the Borough of South Toms River (the “Borough”) recognizes that while the ultimate decision to approve any new cannabis licenses is guided by the standards identified within the New Jersey Cannabis Laws and vested to the discretion of the CRD; and

WHEREAS, in accordance with the regulations established by the Act, N.J.A.C. 17:30-5.1, any potential licensees/permittees have the support of the local community, as evidenced by a resolution adopted by said municipality’s governing body indicating that the intended location is appropriate located or otherwise suitable for the activities related to the cultivation, manufacturing, or dispensing of medical cannabis, cannabis products, and related supplies as will be conducted at the proposed facility; and

WHEREAS, the Borough of South Toms River established a Fair and Open process under N.J.S.A to accept proposals for Local Endorsement for Cannabis Licensing; and

WHEREAS, the Borough utilized a “Fair and Open” Procurement Process for the solicitation and award of the endorsement; and

WHEREAS, the Borough of South Toms River established a local review committee to evaluate the Fair and Open Process; and

WHEREAS,

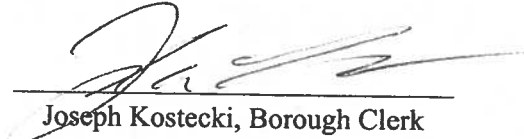
WHEREAS, the Borough of South Toms River local review committee recommends Altitude Cannabis for a Class 5 Cannabis license.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of South Toms River as follows:

1. The Borough of South Toms River hereby supports the applicant, The Altitude Cannabis, for a Class 5 cannabis business licenses being sought to operate within the Borough of South Toms River's jurisdiction
2. The applicant, Altitude Cannabis, is consistent with the zoning rules identified within Chapter §20 of the Borough Code of the Borough of South Toms River.
3. The Borough of South Toms River has a limitation of three (3) Class 5 licenses, and Altitude Cannabis is one of three to be locally endorsed.
4. Based on the preceding, the Borough is satisfied not only that the property Altitude Cannabis seek to utilize is compliant with our zoning rules and requirements outline by the Ordinance, but also that Altitude Cannabis will be a valuable addition to the group of cannabis dispensing license holders awarded by the CRD and that its business operations will have a positive impact on the Borough and community at large.
5. In light of that, and in the event that the CRC issues Altitude Cannabis LLC, a license/permit to operate as a dispensary (under either the Jake Honig Law or CREAMMA), this Resolution should be viewed by the State as unequivocal support by the Borough of Altitude Cannabis's application, and an indication that the intended location is appropriately located or otherwise suitable for the activities related to the dispensary of cannabis, cannabis products, and related supplies as will be conducted at the proposed facility.

CERTIFICATION

I, Joseph Kostecki, Borough Clerk, of the Borough of South Toms River, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Borough Council at the Regular meeting held on the 14th day of March, 2022



Joseph Kostecki, Borough Clerk