

**BOROUGH OF ENGLISHTOWN
ORDINANCE NO. 2026-15**

**AN ORDINANCE AMENDING CHAPTER 568 (“CANNABIS TAX AND LICENSING”)
OF THE CODE OF THE BOROUGH OF ENGLISHTOWN TO CLARIFY
APPLICATION AND RENEWAL FEES**

WHEREAS, the Borough previously adopted Ordinance No. 2025-17 amending Chapter 568 to update cannabis licensing fees and administrative provisions; and

WHEREAS, the governing body has determined that clarification is appropriate to distinguish between initial license applications, annual renewals, and other licensing actions; and

WHEREAS, the governing body desires to ensure that Chapter 568 is administered in a clear and consistent manner while preserving the Borough’s authority under the CREAMM Act;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Englishtown, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Amendment to § 568-1 (Licenses)

Section 568-1(B) of the Code of the Borough of Englishtown is hereby amended to delete the existing language and replace it in its entirety with the following:

A non-refundable application fee of \$5,000 shall accompany all new license applications.

No licensee shall implement any material change to the licensed premises or operations without first submitting an application to the Borough Clerk or other designated administrative officer and obtaining prior approval. An application fee shall be required for any application seeking: (i) reinstatement of a license following suspension or revocation; or (ii) approval of a material change to the licensed premises or operations. For purposes of this subsection, a “material change” shall mean any significant alteration to the ownership, management, premises, or operations of a licensed cannabis establishment, as determined by the Borough Clerk or other designated administrative officer.

Routine annual renewal of an existing license in good standing shall not require payment of an application fee.

SECTION 2. New subsection – Renewal of Licenses

Section 568-1 is hereby amended to add a new subsection (C) as follows:

All cannabis licenses issued by the Borough shall be valid for a period of one year and shall be subject to annual renewal.

Renewal of a license shall require submission of such forms and documentation as may be required by the Borough to confirm continued compliance with applicable law and Borough ordinances, together with payment of the applicable annual license fee.

A renewal shall not be deemed a new application unless one of the circumstances set forth in subsection (B) applies.

SECTION 3. Confirmation of Annual License Fee

All references to annual license fees set forth in § 568-1(A) shall remain in full force and effect, including the \$5,000 annual license fee applicable to Class 5 cannabis retailers.

SECTION 4. New Section – Suspension or Revocation for Cause

Section 568 is hereby amended to add subsection 5 as follows:

5. Suspension or Revocation for Cause.

a. All licensees shall comply with all applicable federal, state, and local laws, ordinances, and regulations as a condition of maintaining a license issued by the Borough.

b. A license may be suspended or revoked where the Borough Administrator determines, after notice and an opportunity to be heard, that the licensee:

(1) has violated any provision of this Chapter;

(2) has engaged in unlawful conduct, disorderly conduct, fraud, misrepresentation, violence, threats, or other conduct reasonably demonstrating a lack of fitness or suitability to engage in the licensed activity; or

(3) has engaged in conduct which poses a threat to the public health, safety, or welfare.

c. The Chief of Police may provide a written recommendation to the Council concerning whether suspension or revocation is warranted based upon public safety considerations.

d. If the Council votes that a hearing is required, the Business Administrator shall conduct a hearing within fourteen days of the Council's determination. Prior to the hearing, the licensee shall be provided written notice of the alleged grounds and the date of the hearing.

e. Following the hearing, the Borough Administrator may suspend or revoke the license upon written findings supporting such determination.

f. Nothing herein shall prevent the Borough Administrator from imposing an immediate temporary suspension where reasonably necessary to protect the public health, safety, or welfare, provided that a hearing shall thereafter be conducted within a reasonable time. In the case of a temporary suspension, the Council shall consider at its next regularly scheduled meeting whether to take permanent action against the licensee or require further proceedings.

SECTION 5. Uniform Tax Collection Deadlines.

Notwithstanding any provision of Chapter 568 or any other provision of the Borough Code to the contrary, all cannabis transfer taxes, user taxes, and other taxes imposed pursuant to Chapter 568 shall be due and payable no later than thirty (30) days following the conclusion of the applicable tax quarter, and no local or administrative grace period shall apply beyond said deadline except as otherwise required by applicable State law; this section shall supersede any inconsistent provision of the Borough Code concerning cannabis tax payment deadlines or grace periods, and the Borough's Code Editor and/or codifier is hereby authorized and directed to amend, revise, renumber, or delete any inconsistent references or provisions within the Borough Code necessary to effectuate the intent of this Ordinance.

SECTION 6. Repealer

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 7. Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 8. Effective Date

This Ordinance shall take effect upon final passage and publication according to law.

<u>Council Member</u>	<u>Motion/Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Alite		x			
Atterbury	x	x			
Calise		x			
Fierro		x			
Leonardis	x	x			
Sarti		x			
Mayor Francisco					

Kimberly Humphrey

Kim Humphrey, Acting Municipal Clerk

CERTIFICATE OF INTRODUCTION

I, the undersigned Acting Clerk of the Borough of Englishtown, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Borough duly called and held on May 13, 2026 at 6:30 p.m. at the Borough Municipal Building, 15 Main Street, Englishtown, New Jersey and that the following was the roll call:

Present: Alite, Atterbury, Calise, Fierro, Leonardis, Sarti

Absent: none

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this 13 day of _May_, 2026.

(SEAL)

Kimberly Humphrey

KIMBERLY HUMPHREY,

Acting Clerk of the Borough of Englishtown

CERTIFICATE OF FINAL ADOPTION

I, the undersigned Acting Clerk of the Borough of Englishtown, in the County of Monmouth, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Borough duly called and held on May 27, 2026, at 6:30 p.m. at the Borough Municipal Building, 15 Main Street, Englishtown, New Jersey and that the following was the roll call:

Present: Alite, Atterbury, Calise, Fierro, Leonardis, Sarti

Absent: none

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this __27__ day of May, 2026.

(SEAL)

Kimberly Humphrey

KIMBERLY HUMPHREY,

Acting Clerk of the Borough of Englishtown

