LEGAL NOTICE

TOWNSHIP OF PARSIPPANY-TROY HILLS
MUNICIPAL ORDINANCES

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the following Ordinance was submitted in writing at a Meeting of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, held on **November 10, 2026** introduced and passed on first reading and the governing body will further consider the same for second reading and final passage thereof at a Meeting to be held on **November 24, 2026** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township at which time and place a Public Hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning same. A copy of this ordinance has been posted on the Bulletin Board in the Municipal Building. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

KHALED MADIN
Township Clerk

TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NJ

ORDINANCE NO. 2026:45

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND RESTATING CHAPTER 119, CANNABIS, OF THE MUNICIPAL CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

WHEREAS, on July 20, 2021, the Township Council adopted Ordinance No. 2021:14, which amended Chapter 430 (Zoning) to conditionally permit a limited number of Class 3 Cannabis Wholesaler and Class 4 Cannabis Distributor licenses in the SED-3, SED-3A, SED-5, SED-5A, LIW-2 and LIW-5 Zone Districts and established a local licensing requirement for cannabis establishments, adopted as Chapter 77 and renumbered by the codifier as Chapter 119; and

WHEREAS, Chapter 119 was subsequently amended by Ordinance No. 2022:15 (June 21, 2022); repealed and replaced in its entirety, including the adoption of Article II, Cannabis Transfer and User Tax, by Ordinance No. 2024:21 (December 17, 2024); and further amended by Ordinance No. 2025:30 (December 16, 2025) and Ordinance No. 2026:05 (February 17, 2026); and Chapter 430 (Zoning) was amended by Ordinance No. 2025:08 (May 20, 2025) to permit a Class 5 cannabis retailer as a conditional use in the B-1, B-2, B-2A and O-T Districts subject to § 430-88G, to add

Class 1 cannabis cultivators, Class 2 cannabis manufacturers and cannabis testing laboratories to the conditional uses permitted in the SED-3, SED-3A, SED-5, SED-5A, LIW-2 and LIW-5 Districts, and to permit a cannabis testing laboratory as a conditional use in the POD District; and

WHEREAS, by companion Ordinance No. _____, introduced on the same date as this ordinance, the Township Council is amending Chapter 430 (Zoning) to adopt Article LXIV, Cannabis Establishments, which consolidates in the zoning chapter the location, separation, site and building standards applicable to cannabis establishments, cannabis distributors and cannabis delivery services, and the Township Council intends that Chapter 119 govern the local licensing of cannabis businesses and that Chapter 430 govern their location and the land use standards applicable to them; and

WHEREAS, the Mayor and the Township Council believe it is in the best interests of the residents to implement additional protocols for cannabis businesses; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, that:

SECTION 1. Chapter 119, Cannabis, of the Code of the Township of Parsippany-Troy Hills is hereby amended and restated in its entirety to read as follows:

ARTICLE I General Provisions

§ 119-1. Statutory authority.

This chapter is authorized pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c. 16, and the implementing regulations promulgated by the Cannabis Regulatory Commission (collectively, the "Act"), which are hereby incorporated herein by reference, and shall be controlling. The regulatory authority exercised by the Township under this chapter is limited to that conferred upon municipalities by N.J.S.A. 24:6I-45 and N.J.A.C. 17:30-5.1, and nothing in this chapter shall be construed to regulate any matter reserved to the Commission. If any provision of this chapter is inconsistent with the statutes and/or regulations of the State of New Jersey, the Act shall govern.

§ 119-2. Definitions.

A. As used in this article, the following terms shall have the meanings as defined in the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," also referenced herein as the "Act" or "P.L. 2021, c. 16," as it may be amended or superseded, and are included herein for purposes of general acknowledgement and ease of use:

CANNABIS — All parts of the plant Cannabis sativa L., including indica and any and all hybrids, whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and when applicable, manufactured in accordance with CREAMMA for use in

cannabis products as set forth in that Act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other product. "Cannabis" does not include medical cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 24:6I-1 et seq. and N.J.S.A. 18A:40-12.22 et seq.; marijuana as defined in N.J.S.A. 2C:35-2 and applied to any offense set forth in Chapters 35, 35A and 36 of Title 2C of the New Jersey Statutes, N.J.S.A. 2C:35B-1 et seq., or marijuana as defined in N.J.S.A. 24:21-2 and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act" N.J.S.A. 24:21-1 et seq.; or hemp or a hemp product cultivated, handled, processed, transported or sold pursuant to the "New Jersey Hemp Farming Act," N.J.S.A. 4:28-6, et seq.

CANNABIS CULTIVATOR — Any person or entity holding a Class 1 cannabis cultivator license issued by the State of New Jersey that grows, cultivates, or produces cannabis in the State of New Jersey, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS DELIVERY — The transportation of cannabis items and related supplies to a consumer. "Cannabis delivery" also includes the use by a licensed cannabis retailer of any third-party technology platform to receive, process, and fulfill orders by consumers, which third party shall not be required to be a licensed cannabis establishment, distributor, or delivery service, provided that any physical acts in connection with fulfilling the order and delivery shall be accomplished by a certified cannabis handler performing work for or on behalf of the licensed cannabis retailer, which includes a certified cannabis handler employed or otherwise working on behalf of a cannabis delivery service making off-premises deliveries of consumer purchases fulfilled by that cannabis retailer.

CANNABIS DELIVERY SERVICE — Any person or entity holding a Class 6 cannabis delivery license issued by the State of New Jersey that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

CANNABIS DISTRIBUTOR — Any person or entity holding a Class 4 cannabis distributor license issued by the State of New Jersey that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

CANNABIS ESTABLISHMENT — A cannabis cultivator, cannabis manufacturer, cannabis wholesaler, or cannabis retailer, as defined in N.J.S.A. 24:6I-33. Where this chapter refers to a cannabis establishment or a cannabis business, the reference shall include a cannabis distributor and a cannabis delivery service unless the context indicates otherwise.

CANNABIS ITEM — Any usable cannabis, cannabis product, cannabis extract, and any other cannabis resin. "Cannabis item" does not include any form of medical cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 24:6I-1 et seq. and N.J.S.A. 18A:40-12.22, et seq., or hemp or a hemp product cultivated, handled, processed, transported or sold pursuant to the "New Jersey Hemp Farming Act," N.J.S.A. 4:28-6 et seq.

CANNABIS MANUFACTURER — Any person or entity holding a Class 2 cannabis manufacturer license issued by the State of New Jersey, that processes cannabis items in this state by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS RETAILER — Any person or entity holding a Class 5 cannabis license issued by the State of New Jersey that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

CANNABIS WHOLESALER — Any person or entity holding a Class 3 cannabis wholesaler license issued by the State of New Jersey that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

COMMISSION or CRC — The New Jersey Cannabis Regulatory Commission established pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (CREAMMA).

MICROBUSINESS — Shall have the same meaning as defined in N.J.S.A. 24:6I-33 and operated in accordance with N.J.A.C. 17:30-6.7. Per statute, it means a person or entity licensed by the state as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that may only, with respect to its business operations and capacity and quantity of product: employ no more than 10 employees; operate a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow about that plane not higher than 24 feet; possess no more than 1,000 cannabis plants each month, except that a cannabis distributor's possession of cannabis plants for transportation shall not be subject to this limit; acquire each month, in the case of a cannabis manufacturer, no more than 1,000 pounds of usable cannabis; acquire for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof; and acquire for retail sale each month, in the case of a cannabis retailer, no more than 1,000

pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof.

RESOLUTION OF SUPPORT — Proof of local municipal support, which shall be demonstrated by a resolution adopted by the municipality's governing body.

All other terms as defined in the Act are hereby incorporated herein by reference and shall have the meanings set forth in the Act, as may be amended or superseded.

B. In addition, the following term shall have the meaning indicated:

GIFTING — Shall mean the sale of any object containing cannabis or a cannabis product wherein the cannabis itself is assigned no or a below-market-price sales price.

§ 119-3. Licensed use applicability.

The use of any cannabis license shall only be in strict accordance with the requirements of Chapter 430 (Zoning), including Article LXIV, Cannabis Establishments, and Chapter 225 (Land Use, Subdivisions and Site Plans). Should the Township of Parsippany-Troy Hills establish more than one type of cannabis license, nothing herein shall prohibit a single owner from owning more than one such license, provided such ownership is not prohibited by state statute or rule.

§ 119-3.1. Permitted classes. The following classes of cannabis license are permitted within the Township, subject to the maximum number of licenses set forth in § 119-4D, the district, location, site and building requirements of Chapter 430, including Article LXIV, Cannabis Establishments, and State licensure: Class 1 cannabis cultivator; Class 2 cannabis manufacturer; Class 3 cannabis wholesaler; Class 4 cannabis distributor; and Class 5 cannabis retailer. Class 6 cannabis delivery services are permitted to be located within the Township subject to the maximum number set forth in § 119-4D; nothing in this chapter prohibits or restricts the delivery of cannabis items to consumers within the Township by a cannabis retailer or cannabis delivery service licensed by the State, as provided in N.J.S.A. 24:6I-45(b) and N.J.A.C. 17:30-5.1(l). Cannabis testing facilities are licensed by the Commission and are not subject to local licensing under this chapter. Nothing in this section constitutes a resolution of local support under N.J.A.C. 17:30-5.1(g), which shall be considered separately by the Township Council. Notwithstanding any other provision of this chapter, to the extent provided in N.J.S.A. 24:6I-45(d), as added by P.L. 2026, c. 13: (a) where a medical cannabis dispensary permitted under the Jake Honig Compassionate Use Medical Cannabis Act, P.L. 2009, c. 307, applies to the Commission for a Class 5 cannabis retailer license to be co-located on the premises of the dispensary, municipal review, consent or approval under this chapter shall not be required as a condition of the Commission's issuance of that license, as provided in subsection (d)(1); and (b) a medical cannabis dispensary that was open and lawfully operating in the Township before July 1, 2023, without any violation or notice thereof for not less than three years before the enactment of P.L. 2026, c. 13, shall not be prohibited from the retail sale of cannabis items by, and shall not be counted against, the maximum number of Class 5 licenses set forth in § 119-4D, as provided in subsection (d)(2). A retailer described in this paragraph shall remain subject to the hours of operation, security, inspection and tax provisions of this chapter to the extent not inconsistent with State law. Upon the request of the Commission or of the dispensary, the Business

Administrator shall confirm in writing whether a medical cannabis dispensary satisfies the criteria of N.J.S.A. 24:6I-45(d)(2).

§ 119-4. Local licensing authority, license maximum and regulations.

A. The Business Administrator is hereby designated to act as the local licensing authority for the Township of Parsippany-Troy Hills for all cannabis businesses within the Township. The Business Administrator shall function as the receiver of any communications from the State Cannabis Regulatory Commission and shall promptly convey any item of information with regard to the licensing of cannabis businesses by the state or in which state law requires any review or approval by the Township of any action to the Township Council. The Business Administrator shall respond to any request from the Commission for verification of local compliance or local support within the time prescribed by N.J.A.C. 17:30-5.1(d), which is presently 28 days.

B. Under no circumstances shall a local license for a cannabis business issued by the Business Administrator be effective until or unless the state has issued the requisite licenses to operate such a facility. It is the intent of this article that no cannabis business may lawfully operate in the Township of Parsippany-Troy Hills without the issuance of a state license and full regulatory oversight of the cannabis business by the Cannabis Regulatory Commission or other state licensing authority as required by law as well as the appropriate land use approvals, oversight and issuance of a license by the Township.

C. Municipal licensing for cannabis businesses shall follow the nomenclature of the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" as indicated in the definitions in this article.

D. Maximum number of licenses and fees.

(1) Subject to the land use and location requirements of the Township of Parsippany-Troy Hills Municipal Code, the Township may issue up to and including the following number of licenses which shall require the associated license application and annual renewal fee:

License	**Class**	**Maximum Number of Licenses**	**Application Fee (nonrefundable)**	**Initial License Fee**	**Annual Renewal Fee**
Cannabis cultivator	1	5	$10,000	$25,000	$25,000
Cannabis manufacturer	2	7	$10,000	$25,000	$25,000
Cannabis wholesaler	3	5	$10,000	$25,000	$25,000
Cannabis distributor	4	1	$25,000	$35,000	$35,000
Cannabis retailer	5	3	$10,000	$25,000	$25,000
Cannabis delivery service	6	2	$2,500	$7,500	$5,000

(2) The amount of the nonrefundable application fee, initial license fee and annual renewal license fee may be modified from time to time only by ordinance. The application fee is payable upon filing and is nonrefundable; the initial license fee is payable upon issuance of the local license as provided in § 119-6E(6); and the annual renewal fee is payable with each renewal application.

E. A resolution of support issued by the Township Council pursuant to N.J.A.C. 17:30-5.1(g)1 to a cannabis business shall expire within 12 months unless the business has submitted to the Commission an application for a conditional or annual license, or has been issued a conditional or annual license, for a class of license permitted in the Township of Parsippany Troy Hills. The Township Council may extend the resolution of support at its discretion for an additional period of six months for good cause, including but not limited to delays in the processing of approvals required from state, county or other local agencies. A resolution of support shall terminate automatically, without further action of the Township Council, upon the earliest of the Commission's final denial of the application it supports, the applicant's withdrawal or abandonment of that application, or the applicant's written notice to the Township that it no longer intends to pursue the license. The applicant shall notify the Business Administrator in writing within 30 days after any such denial, withdrawal or abandonment. Upon the termination or expiration of a resolution of support, the license allocation it supported shall again be available for award under this chapter.

F. Additional licensing regulations.

(1) Hours of operation.

(a) No cannabis retail Class 5 dispensary may open to customers for business before 8:00 a.m. or remain open to customers for business after 10:00 p.m., on any day of the week. This time restriction does not apply to any other cannabis establishments.

(b) Such hours shall be construed to mean Eastern Standard Time or Eastern Daylight Saving Time; whichever time shall be in effect within the Township of Parsippany Troy Hills.

(2) Prohibited consumption. The consumption of cannabis items in any manner, including the operation of a cannabis consumption area as defined in N.J.S.A. 24:6I-21, is prohibited within or on the grounds of any licensed cannabis establishment within the Township of Parsippany-Troy Hills.

(3) Security. All structures shall be designed, using safety and security barriers, to prevent the unlawful and unauthorized entry into the structures as prescribed by state law.

(a) There shall be controlled access to the site, with continuously operating video surveillance of the exterior and interior of the facility, monitored and retained in compliance with N.J.A.C. 17:30-9.10; remote or off-site monitoring may be used to the extent permitted by that rule. Video records shall be retained and stored for the period prescribed by state law, but in no case shall such video be retained and stored for less than 30 days.

(b) Any site plans, construction plan, reports and similar documents depicting or describing access and security details information concerning the facility shall be maintained as confidential to the fullest extent permitted by N.J.S.A. 47:1A-1.1, which exempts security measures and surveillance techniques from public access.

(4) Site management. Any cannabis business shall properly store and dispose of all waste generated on the site, including chemical and organic waste, in accordance with all applicable laws and regulations. All cannabis businesses shall dispose of

cannabis or cannabis products using the methods and processes set forth by the Commission.

(5) Noise. All cannabis business facilities shall operate in compliance with state, county, and local noise laws and regulations.

(6) Site plan and other necessary land use approvals. All applicants for a local license to operate a cannabis business within the Township shall obtain site plan approval and any other land use approvals required by Chapter 430, including Article LXIV, Cannabis Establishments, and Chapter 225, from the Planning Board or Zoning Board of Adjustment, as applicable, before commencing operations. Land use approval is not a prerequisite to a recommendation of the Cannabis Advisory Committee, a resolution of support of the Township Council, or the issuance of a local license, and the issuance of a local license is not a condition of any land use approval.

(7) Class 5 retail dispensary. Any retail facility:

(a) Shall contain video equipment to record all persons as they enter and leave the facility and as they shop within the facility. The video equipment must also record the parking areas designated for, or immediately adjacent to, the entrance of the licensed premises.

(b) Security measures as required pursuant to N.J.A.C. 17:30-9.10. Security protocols shall be submitted to the Township's police department for review and comment. Such review shall be advisory, the security plan approved by the Commission shall control, and security protocols so submitted shall be maintained as confidential to the extent permitted by N.J.S.A. 47:1A-1.1.

(8) State and municipal licenses shall be prominently displayed inside the permitted premises in a location where it can be easily viewed by law enforcement and administrative authorities.

§ 119-5. Cannabis Advisory Committee. A Township Cannabis Advisory Committee (CAC or Committee) as appointed below will function as the body for local review for the Township for all cannabis establishments, but the authority and responsibility to adopt a resolution of support remains with the Township Council. Under all circumstances in which state law requires communication to the Township by the New Jersey Cannabis Regulatory Commission or any other state agency with regard to the licensing of cannabis establishments by the state, or in which state law requires any review or approval by the Township of any action taken by the state licensing authority, the exclusive authority for receiving such communications shall be communicated through the Business Administrator.

A. Members of said CAC shall include the following individuals:

(1) Mayor or Mayor's designee.

(2) The Chief of Police or his designee.

(3) The Business Administrator.

(4) The Zoning Officer.

(5) The Township Engineer. The Township Attorney shall serve as counsel to the Committee and shall not vote. The Committee shall take no part in the issuance or review of any suspension or revocation order or notice under § 119-7C(3).

B. To the extent necessary and in their sole discretion, the Committee shall be supported by other legal and planning professionals, including but not limited to, Special Cannabis Counsel. The Committee may request additional resources as necessary to effectuate the responsibilities of the Committee. The applicants shall deposit and fund an escrow in the amount of $5,000 for the costs of said professionals. If the Township must hire one or more consultants to evaluate a first-time or renewal application for a license, the applicant will be responsible for the review fees of the Township's hired consultant(s). To the extent that the escrow is exhausted, the applicant shall provide any replenishment amount required by the Committee within 10 days of a replenishment request by the Committee. Charges against the escrow shall be reasonable, shall be itemized by date, task and time, and shall be furnished to the applicant upon request; any unexpended balance shall be returned to the applicant within 45 days after final action on the application.

C. Duties of the Committee will be to advise the Township's Governing Body as to the issuance of a resolution of support and local cannabis license within the Township. The committee's work shall be made consistent with the criteria outlined in this chapter. All applications shall be evaluated by the Cannabis Advisory Committee. The Committee shall evaluate all applications and issue to the Township Council a recommendation as to the issuance of a resolution of support or a rejection of the application. The Cannabis Advisory Committee, pursuant to this subsection, shall prepare a memorandum addressed to the Mayor and Council setting forth its recommendation to approve or deny the application, the reasons for it, and any comparative ranking required by this subsection. The recommendation shall be made after consideration and evaluation of the following criteria: Where the number of complete applications pending for a class of license exceeds the number of licenses remaining available in that class under § 119-4D, the Committee shall evaluate those applications comparatively against the criteria in this subsection and shall rank them in its recommendation. Nothing in the Committee's review authorizes any official to solicit or accept, or any applicant to offer, any payment, donation or other thing of value in exchange for zoning approval, a resolution of support or any municipal approval, contrary to N.J.A.C. 17:30-5.1(i).
    (1) The applicant's, owners' or principals' qualifications and experience operating in highly regulated industries, including but not limited to cannabis, healthcare, pharmaceutical manufacturing, or retail pharmacies, where the value of the owners' experience shall outweigh the experience of non-owner principals.
    (2) The applicant's qualifications and experience related to public safety and security, including any of the applicant's, owners' or principals' experience in securing controlled substances or valuable items.
    (3) The status of the applicant's control over the premises at the proposed location, and specifically whether the applicant owns or has executed an agreement to lease or purchase the site.
    (4) The applicant's community impact and outreach plan, including any proposed community engagement, charitable and employment commitments, and community feedback regarding the applicant.
    (5) Applicant's demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a

collective bargaining agreement in an effort to create well-paying jobs with employee benefits in the municipality. Whether the applicant is certified, or eligible for certification, by the Commission as a Diversely Owned Business, a Social Equity Business or an Impact Zone Business.

(6) The applicant's financial stability is of paramount importance. The applicant shall submit the financial documentation described in § 119-6E(5) evidencing sufficient capital to operate and continue to operate a cannabis business in Parsippany. Sufficient capital means liquid funds or committed financing reasonably sufficient to fund the projected build-out and the first twelve months of operating expenses shown in the applicant's business plan. Financial records submitted under this paragraph shall be maintained as confidential to the extent permitted by law.

(7) Any other information that the applicant may wish to highlight and bring to the Township's attention regarding the proposed cannabis business operation and/or the owners, principals or employees of the business.

D. The Township Council shall act on each recommendation of the Cannabis Advisory Committee within 45 days after the Committee issues its recommendation, and the Committee shall issue its recommendation within 45 days after an application is deemed complete. The Township Council may not issue resolutions of support in excess of the number of local cannabis licenses permitted in accordance with the Township of Parsippany-Troy Hills Cannabis License and Fee Schedule. If the Township Council does not act within 45 days, the recommendation shall be carried to the next regular meeting of the Township Council at which a quorum is present, and the failure to act within that period shall not be deemed an approval or a denial of the application.

§ 119-6. License application requirements.

A. No one may operate a cannabis establishment ("establishment") in the Township without a municipal license. A license must be requested and obtained annually upon approval of the Business Administrator for the establishment prior to, and as a condition of, permit or license renewal pursuant to CREAMMA, the regulations at N.J.A.C. 17:30-1.1 et seq. and this chapter. Only the municipal license, annually renewed pursuant to the cited authority herein, shall constitute the annually required written municipal approval required for the establishment pursuant to the regulations of the Cannabis Regulatory Commission ("CRC").

B. In addition to a municipal license, in order to operate a cannabis establishment in the Township of Parsippany-Troy Hills, the appropriate state licenses are required. All applications for licenses issued and all proceedings under this section shall be in accordance with all applicable laws of the state and Township.

C. In order to operate a cannabis establishment, the applicant shall be in possession of all applicable land use/zoning approvals and all construction permits and approvals from all municipal and state entities having jurisdiction over same.

D. Persons seeking to obtain any classification of municipal cannabis license shall file an application with the Business Administrator on a standardized form established by the Township and available in the Township's Clerk's office. Applications shall be accepted on a rolling basis for so long as the number of licenses issued and pending for a class of license is less than the maximum number for that class set forth in § 119-4D. When the

number of complete applications pending for a class exceeds the number of licenses remaining available in that class, the Business Administrator shall, by written notice posted on the Township website, close the application period for that class on a date not less than 30 days after the notice, and all complete applications received on or before that date shall be evaluated comparatively by the Committee under § 119-5C. The Business Administrator may reopen the application period for a class when a license in that class again becomes available. A complete application on which the Committee has issued its recommendation before the application period closes shall not be reopened for comparative evaluation. An application shall be deemed incomplete, and shall not be processed by the Township until all documents and application fees are submitted. The applicant may be required to appear for a meeting with the Cannabis Advisory Committee.

(1) The Business Administrator, after consulting with the Committee, may deny any application that is lacking any required element or exhibit, provided that the applicant shall first be given written notice of the deficiency and not less than 30 days to cure it.

(2) The Business Administrator, after consulting with the Committee, may deny any application due to an applicant's non-responsiveness to the Township's request for additional information.

E. To be deemed complete, all applications shall be accompanied by the following:

(1) Every applicant shall specify the location where the cannabis facility will operate. Name, address of owner, applicant, property location, including address and lot and block on the official tax map and zone identification. A separate application shall be required for each location at which a cannabis facility operates. The Township shall permit the co-location of cannabis businesses at the same location subject to state statute and regulations. Each class of license held at a co-located premises shall count against the maximum number of licenses for that class set forth in § 119-4D, and co-location shall not reduce the number of licenses counted against any class maximum, except to the extent such counting is prohibited by N.J.S.A. 24:6I-45(d). A separate application and separate fees shall be required for each class of license at the co-located premises.

(2) 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 a deed, lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the applicant contingent upon applicant's receipt of a license from the State of New Jersey.

(3) The applicant and/or owner, as may be applicable, shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant and/or owner, as may be applicable, shall also certify under oath that they will not discriminate based on race, color, religion (creed), gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

(4) The location proposed for licensing by the applicant shall be in a zone district in which the class of cannabis business proposed is a permitted or conditional use

under Chapter 430 (Zoning), including Article LXIV, Cannabis Establishments, and shall satisfy the separation distances of Article LXIV. A letter from the Zoning Officer indicating that the proposed location is in an eligible zone district and satisfies the separation distances of Article LXIV shall accompany the application. The determination letter shall not address, and shall not be construed as a determination of, compliance with the site and building standards of Article LXIV or any other matter reserved to the Planning Board or Zoning Board of Adjustment at site plan review under § 119-4F(6). The fee for the determination letter from the zoning official is $100.

(5) The applicant, owner and its principals, as may be applicable, shall submit, to the satisfaction of the Cannabis Advisory Committee in accordance with § 119-5C(6), proof of financial capability to open and operate a cannabis establishment for which the applicant is seeking a license. Proof of financial capability shall consist of 60 days of the most recent bank statements of the applicant or of the owners or investors funding the applicant, together with (a) for an applicant that has operated a business for one year or more, profit and loss statements for the most recent two fiscal years or for the period of operation, if shorter, or (b) for a newly formed applicant or an applicant without operating history, pro forma financial projections for the first twelve months of operation and documentary evidence of committed capital, which may include executed financing commitments, investor subscription agreements or capital contribution agreements. Completed applications shall include a business plan outlining the proposed operations of the cannabis business.

(6) The applicant shall submit the nonrefundable application fee set forth in the Township of Parsippany-Troy Hills Cannabis License and Fee Schedule. The initial license fee shall be due upon the issuance of the local license following the adoption of a resolution of support and the issuance of the corresponding State license, and shall not be required at the time of application; any initial license fee paid before issuance shall be refunded if the local license does not issue.

(7) In addition to complying with any state requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in any state.

(8) Applicant shall submit a summary of the applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management as well as training plans.

F. Terms of local cannabis license and cannabis license renewals:

(1) Before the occupancy of a building or buildings where the local cannabis license will be used to operate the cannabis business, the license holder shall obtain site plan approval, along with any and all other land use approvals deemed necessary, from the Parsippany- Troy Hills Planning Board or Board of Adjustment, along with any additional outside governmental agency approval(s) which may be necessary.

(2) Any local license issued pursuant to this article shall be valid for a period of one year from the date of issuance and shall be renewed in accordance with the provisions of this article.

(3) The Business Administrator, at the official's discretion, may adjust the renewal date of the local license to correlate with an applicant's state licensing and renewal schedule.

(4) Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed. Notwithstanding the foregoing, renewal of a license shall not be denied solely because the licensed premises does not comply with a location or separation standard of Chapter 430 adopted after the license was first issued, to the extent the use is protected as a nonconforming use under N.J.S.A. 40:55D-68.

(5) A change of location of any license, or a modification to expand a licensed premises, shall require a new license application and any land use approvals required by Chapter 430 and Chapter 225. A transfer of a local license, or a change in ownership of the licensee that requires the approval of the Commission under its regulations, shall be reported to the Business Administrator within 30 days and shall be subject to review by the Cannabis Advisory Committee and approval by the Township Council; a change in ownership that does not require Commission approval shall require written notice only.

(6) Except where the Business Administrator has received a complete renewal application along with the requisite fees, and has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products from the premises of any licensee after the expiration date recorded on the face of the license, except for the closure of the business.

(7) Subject to the requirements and limitations of state law, the municipality shall have the reasonable right to inspect the premises of any approved cannabis establishment during its regular hours of operation to ensure compliance with local ordinances and regulations. It shall be unlawful for any cannabis business to refuse to allow such inspection or to hinder such an inspection.

G. A renewal application may be denied due to public safety issues, documented police incidents attributable to the operation of the licensed premises, outstanding municipal tax delinquencies, unpaid cannabis transfer taxes, property maintenance violations, or ongoing non compliance with zoning laws. No renewal shall be denied under this paragraph except after written notice specifying the grounds, an opportunity to cure of not less than 30 days where the ground is curable, and an opportunity to be heard before the Township Council.

§ 119-7. Enforcement; violations and penalties.

A. This chapter shall be enforced by the Code Enforcement Officer and/or their designee.

B. Jurisdiction. Violations of this chapter shall be adjudicated in the Parsippany-Troy Hills Municipal Court. This chapter shall not affect the judicial proceedings of any other aspect of cannabis use in the Township of Parsippany-Troy Hills.

C. Penalties. Convictions shall result in the following penalties:

(1) First offense and subsequent offenses: A fine of not more than $2,000 per day per violation shall be imposed. In addition to the fine, the following penalties may be imposed in the discretion of the Municipal Court Judge:

(a) Imprisonment in the Morris County Jail for any term not exceeding 90 days; or

(b) Imposition of a period of community service for a period not exceeding 90 days.

(2) Each and every day of the violation shall be construed as a single and separate offense.

(3) Suspension and revocation.

(a) Summary suspension. Notwithstanding the foregoing, when the Business Administrator has reasonable grounds to believe that the continued operation of a licensed premises presents an imminent and substantial danger to the public health, safety or welfare, or when the corresponding state license for the subject location is expired, surrendered, suspended or revoked, the Business Administrator may enter a summary suspension order which immediately suspends the licensee's local license to operate. The summary suspension order shall be in writing, shall state the specific facts and reasons therefor, and shall schedule a hearing before the Township Council not less than 10 nor more than 30 days from the date of the order. The order shall be served upon the licensee immediately. Where the licensee cures the condition before the hearing to the satisfaction of the Business Administrator, the Business Administrator may lift the order and reinstate the license without a hearing.

(b) Suspension or revocation after notice and hearing. In all other cases, including where the Business Administrator has been notified of a conviction of a licensee for a violation of this chapter or has reasonable grounds to believe that a licensee has engaged in a deliberate and willful violation of any applicable law or regulation, the Business Administrator shall serve the licensee with written notice specifying the grounds and scheduling a hearing before the Township Council not less than 10 nor more than 30 days from the date of the notice, and the local license shall remain in effect pending the hearing.

(c) Hearing. The Township Council, or a hearing officer designated by the Township Council who did not participate in the issuance of the order or notice, shall conduct the hearing. The licensee shall be permitted to appear at the hearing, along with counsel, to present evidence and to cross-examine witnesses. The Cannabis Advisory Committee shall not be consulted on, and shall take no part in, the issuance or review of any order or notice under this paragraph. At the conclusion of the hearing, the Township Council may lift the suspension order and reinstate the license, continue the suspension subject to conditions, or impose conditions, restrictions, suspension or revocation of the local license, and shall state its findings and reasons in writing. Where the corresponding State license for the subject location has been finally revoked or surrendered, the Township Council may revoke the local license at the hearing. Where a hearing officer conducts the hearing, the hearing officer shall report findings and a recommendation to the Township Council, which shall act on the recommendation after affording the licensee an opportunity to be heard. Fines for violation of this chapter may be imposed only by the Municipal Court.

(d) Inactive licenses. Following the commencement of operations by a cannabis business, the Business Administrator may suspend or revoke any license if the licensed premises has been inactive or unoccupied by the licensee for at least six months, after written notice and an opportunity to be heard under subparagraphs (b) and (c) of this paragraph; provided that the period of inactivity shall not include any period during which operations were interrupted by fire or casualty, by a renovation or expansion for which land use or construction approvals are pending or have been issued, by a suspension or administrative hold imposed by the Commission, or by another cause beyond the licensee's reasonable control, and the Business Administrator may extend the six-month period for good cause shown upon the licensee's written request.

§ 119-8. Public nuisance declared. Operation of any prohibited or unpermitted cannabis business operation within the municipality in violation of the provisions of this chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.

§ 119-9. Prohibition of unregulated sale of cannabis.

A. No person shall sell cannabis in the Township of Parsippany-Troy Hills without a state cannabis license and a Township local cannabis license, except that nothing in this chapter shall prohibit or restrict the delivery of cannabis items to consumers within the Township by a cannabis retailer or cannabis delivery service licensed by the State, as provided in N.J.S.A. 24:6I-45(b) and N.J.A.C. 17:30-5.1(l).
B. No person shall gift cannabis in the Township of Parsippany-Troy Hills as part of a sale of another item or items.

ARTICLE II. Cannabis Transfer and User Tax

§ 119-10. Authority. This article is adopted pursuant to Section 40 of P.L. 2021, c. 16 (N.J.S.A. 40:48I-1), which authorizes a municipality to impose a transfer tax and a user tax on cannabis establishments located within the municipality at rates not exceeding those set forth therein.

§ 119-11. Definitions.

A. As used in this article, the following terms shall have the meanings indicated:

CANNABIS — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS CULTIVATOR — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS ESTABLISHMENT — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS ITEMS — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS MANUFACTURER — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS RETAILER — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS WHOLESALER — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CONSUMER — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

PREMISES — Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

TAXPAYER BUSINESS — Shall mean for the purposes of this chapter any cannabis business defined in this subsection.

USER TAX VALUE OR ASSESSMENT — Shall mean the average market value of cannabis or a cannabis item. The value of each transfer or use shall be computed as provided in § 119-12C.

All other terms as defined in the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," also referenced herein as the "Act" or "P.L. 2021, c. 16," are hereby incorporated herein by reference and shall have the meanings set forth in the Act, as may be amended or superseded.

§ 119-12. Establishment of transfer and user taxes.

A. Transfer tax.

(1) There is hereby imposed a transfer tax in the amount of 2% on receipts from the sale of cannabis as follows:

(a) From the sale of cannabis by a cannabis cultivator to another cannabis establishment.

(b) From the sale of cannabis items from one cannabis manufacturer to another cannabis establishment.

(c) From the sale of cannabis items from a cannabis retailer to the consumer.

(2) There is hereby imposed a transfer tax in the amount of 1% on receipts of the sale of cannabis as follows:

(a) From the sale of cannabis items from one cannabis wholesaler to another cannabis establishment.

B. Collection of transfer tax. Such tax shall be collected or paid, and remitted to the municipality by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer. 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 of the transfer, for the cannabis or cannabis item. No cannabis establishment required to collect a transfer tax imposed hereunder shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax will be refunded to the cannabis establishment or the consumer.

C. User tax. There shall also be imposed a user tax, at the equivalent transfer tax rates, on any concurrent license holder, as permitted by Section 33 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-46), operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to Subsection A of this section, 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. The value of each use of cannabis for user tax computation shall equal the statewide average

market price of an ounce of usable cannabis for consumer purchase. The value of each use of cannabis items for user tax computation shall equal the statewide average market price of the cannabis item for consumer purchase. The statewide average market prices used for user tax computation shall be those published by the Commission for the period of the transfer or use or, if the Commission does not publish such prices, those determined by the chief financial officer by rule adopted under § 119-13A and made available to taxpayers before the start of the quarter to which they apply.

D. Relationship to other taxes. A transfer tax or user tax imposed pursuant to this section shall be in addition to any other tax imposed by law. Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L. 1966, c. 30 (N.J.S.A. 54:32B-1 et seq.). The transfer tax or user tax shall be paid by the cannabis establishment purchasing or receiving any cannabis or cannabis item from any cannabis cultivator or cannabis manufacturer or cannabis wholesaler located in the municipality, and shall be collected and remitted to the municipality by the cannabis establishment located in the municipality. The transfer tax or 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 market value of the transfer, for the cannabis or cannabis item.

E. Tax liability. Every cannabis establishment required to collect a transfer tax or user tax imposed pursuant to this chapter shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to nonpayment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent market value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the chief financial officer of the municipality which imposes the transfer tax or user tax shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

§ 119-13. Administration of transfer and user taxes.

A. Unless otherwise determined by the Township Council, the chief financial officer of the municipality is charged with the administration and enforcement of the provisions of this chapter, and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this chapter, including provisions for the reexamination and corrections of declarations and statements, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to prescribe forms necessary for the administration of this chapter. The Township Council may determine at any time, in its sole discretion, to retain an outside third-party financial consultant (the "outside consultant") to exercise all of the duties and responsibilities of the chief financial officer as set forth above, with the exception of the power of enforcement, levying of fines and penalties and entering into agreements with the State of New Jersey. In the event that the Township Council retains such an outside consultant, the fee schedule for the outside

consultant shall be presented, for informational purposes only, to the cannabis business before such audit and other work is undertaken. Where an examination discloses an underpayment of tax exceeding ten percent of the tax due for the period examined, the cannabis business shall reimburse the municipality for the reasonable fees of the outside consultant incurred in that examination. A copy of the invoice shall be sent to the cannabis business by the municipality after the municipality is billed for the outside consultant's work. The cannabis business shall reimburse the municipality for the outside consultant's fees and expenses within 60 days thereafter. Should a cannabis business fail or refuse to provide adequate information to the chief financial officer or the outside consultant to determine the amount of tax due, the chief financial officer or the outside consultant may use information provided from other sources (i.e., the NJ Cannabis Regulatory Commission or NJ Department of Treasury) to determine the amount of tax liability, and the licensee shall be subject to the penalties set forth in the Township Code.

B. It shall be the duty of the chief financial officer or the outside consultant, as applicable, to collect and receive the taxes, fines, and penalties imposed by this chapter. It shall also be the duty of the chief financial officer or the outside consultant, as applicable, to keep a record showing the date of such receipt. The chief financial officer is authorized to enter into agreements with the State of New Jersey to obtain information to facilitate administration of the taxes. The chief financial officer is authorized to issue a ruling upon written request of a taxpayer or upon his or her own volition.

C. The chief financial officer or the outside consultant, as applicable, is hereby authorized to examine the books, papers and records of any taxpayer to verify the accuracy of any declaration or financial statement, or if no declaration or financial statement was filed, to ascertain the tax due. Every taxpayer is hereby directed and required to give to the chief financial officer, or to the outside consultant, as applicable, the means, facilities and opportunity for such examinations and investigations, as are hereby authorized or otherwise permitted by law.

D. In the event that the transfer tax or user tax imposed pursuant to this chapter is not paid when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.

E. The chief financial officer or outside consultant, as applicable, shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced. Returns and records filed by a licensee, and the records and files of the chief financial officer or the outside consultant, as applicable, respecting the administration of the transfer and user tax, shall be considered confidential and privileged and neither the chief financial officer nor any employee or outside consultant engaged in the administration thereof or charged with the custody of any such records or files, nor any former officer or employee, nor any person who may have secured information therefrom shall divulge, disclose, use for their own

personal advantage, or examine for any reason other than a reason necessitated by the performance of official duties any information obtained from the said returns, records or files or from any examination or inspection of the premises or property of any person, or to an officer of a public entity for a reason authorized by N.J.S.A. 54:50-9. Neither the chief financial officer nor any employee or outside consultant engaged in such administration or charged with the custody of any such returns, records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except when the records or files or the facts shown thereby are directly involved in an action or proceeding to collect or challenge the assessment of transfer or user taxes hereunder, or where the determination of the action or proceeding will affect the validity or amount of the claim of the municipality hereunder, or in any lawful proceeding for the investigation and prosecution of any violation of this chapter or of the criminal provisions of the State Tax Uniform Procedure Law or of any state tax law, or where production is required pursuant to the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) or the Common Law, or the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) or other applicable law.

§ 119-14. Recordkeeping; tax payments; financial statements.

A. Requirement to keep records. Taxpayers liable for the transfer and/or user tax are required to keep such records as will enable the filing of true and accurate financial statements of the tax, and such records shall be preserved for a period of not less than three years from the filing date or due date, whichever is later, in order to enable the chief financial officer or any agent designated by him to verify the correctness of the declarations or financial statements filed. If records are not available in the municipality to support the financial statements which were filed or which should have been filed, the taxpayer will be required to make them available to the chief financial officer either by producing them at a location in the municipality or by paying for the expenses incurred by the chief financial officer or his agent in traveling to the place where the records are regularly kept.

B. Tax payments and financial statements. All cannabis establishments operating in the municipality shall be required to file a transfer and/or user tax statement with the chief financial officer to report their sales during each calendar quarter and the amount of tax in accordance with the provisions of this chapter. Financial statements shall be filed and payments of tax imposed for the preceding calendar quarter shall be made on or before the last day of April, July, October, and January, respectively. A taxpayer who has overpaid the transfer tax, or who believes it is not liable for the tax, may file a written request on an amended financial statement with the chief financial officer for a refund or a credit of the tax. Upon written request in connection with an examination under § 119-13, a taxpayer shall provide its State sales tax returns, if any, and METRC transfer reports for the period under examination.

SECTION 2. Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the

validity or constitutionality of any other section or part hereof, and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 3. All other ordinances, codes or parts thereof that are in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Township ordinances, the provisions hereof shall be determined to govern, except that the location, separation, site and building standards applicable to cannabis establishments, cannabis distributors and cannabis delivery services shall be governed exclusively by Chapter 430 (Zoning), including Article LXIV, Cannabis Establishments, and nothing in this Ordinance shall be construed to amend Chapter 430 or Chapter 225. All other parts, portions and provisions of the Township's ordinances are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. Chapter A445, Fees Compilation, § A445-7.2, Cannabis establishments, is hereby amended as follows: (A) subsection A, License fees, is amended to conform to the Cannabis License and Fee Schedule set forth in § 119-4D of this Ordinance, including the addition of the Class 6 cannabis delivery service license (two licenses; $2,500 application fee; $7,500 initial license fee; $5,000 annual renewal fee), the deletion of the cannabis testing laboratory line, and the correction of the Class 4 cannabis distributor application fee to $25,000; (B) subsection B, Resolution of support extension request, is deleted; and (C) subsection C, Determination of zoning compliance letter from zoning official, $100, is retained and its reference to § 119-6 is confirmed.

SECTION 5. Codification. This Ordinance shall be codified as Chapter 119 of the Code of the Township of Parsippany-Troy Hills. The Township Clerk and the codifier are authorized and directed to renumber sections and subsections, to conform cross-references within Chapter 119 and in Chapters 430 and A445, and to remove outline letters and numerals generated by word processing, in order to avoid confusion and accidental repeal of existing provisions not intended to be repealed.

SECTION 6. This Ordinance and companion Ordinance No. _____ amending Chapter 430 (Zoning) to adopt Article LXIV, Cannabis Establishments, shall take effect together, on the first date on which both ordinances have been finally adopted and published as required by law and a copy of the companion ordinance has been filed with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.