



CITY OF ABSECON
Municipal Complex
500 Mill Road
Absecon, New Jersey 08201

Carie A. Crone, RMC
Municipal Clerk

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CITY COUNCIL

July 15th, 2021

REGULAR MEETING – 5:30 PM

AGENDA

FLAG SALUTE

ROLL CALL

PRESIDENT’S STATEMENT ON THE SUNSHINE LAW

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED

REGULAR MEETING AGENDA

2021 RESOLUTIONS OUT OF CONSENT

- 91** Land offer Resolution to sell property known as Block 142, Lot 4.01, 711 Chelsea Road, in the City of Absecon, County of Atlantic at a Public Auction.
- 92** Land offer Resolution to sell property known as Block 142, Lot 4.02, 690 Blenheim Avenue, in the City of Absecon, County of Atlantic at a Public Auction.

2021 ORDINANCES FOR INTRODUCTION

- 13** Creating Chapter 152 of the Code of the City of Absecon to implement provisions of the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act.
- 14** Amending the Code of the City of Absecon, Chapter 297- Smoking Restrictions in Recreation Areas.

2021 ORDINANCES FOR ADOPTION

- 09** Repealing and Replacing Chapter 134 of the Code of the City of Absecon concerning the removal and destruction of brush, weeds, trash, debris and solid waste from private property within the municipality.
- 10** Amending Chapter 224 of the Code of the City of Absecon to establish Cannabis Land Use Regulations.
- 11** Amending the Redevelopment Plan for the Block 203 Redevelopment Area.
- 12** Amending the Redevelopment Plan for Redevelopment Area 1: Central Business District Redevelopment Area.

2021 RESOLUTIONS

- 108** Authorizing the Tax Collector to cancel taxes for the 3rd and 4th quarter of 2020 and the 1st and 2nd quarter of 2021 on the property located at Block 4, lot 8.01 (Vermont Ave.)
- 109** Authorizing the release of Planning Board Escrow Fees posted by Tim Robb.
- 110** Authorizing a refund of Mercantile Fee for Geiger Limousine.
- 111** Accepting a Volunteer Firefighter into the Absecon City Fire Department.
- 112** Permitting Charitable Organization to Solicit Funds, namely the Absecon 9-11 Memorial Founders Committee Inc.
- 113** Renewing Alcoholic Beverage Licenses within the City of Absecon.
- 114** Authorizing a Shared Services Agreement with the Township of Galloway for Dispatch Services.

PUBLIC PORTION (Agenda Items Only)

CONSENT AGENDA - Resolutions read by title that have been moved to consent.

APPROVAL OF BILL LIST - \$ 2,034,185.72

APPROVAL OF MINUTES

Regular Meeting Minutes – 6/17/2021

Special Meeting Minutes – 6/29/2021

REPORTS Council Committees
Administrator/CFO
Clerk
Mayor

PUBLIC PORTION

CLOSED SESSION - #115 – Contract Negotiations

ADJOURNMENT

CITY OF ABSECON

RESOLUTION 91-2021

**A LAND OFFER RESOLUTION TO SELL PROPERTY KNOWN AS
BLOCK 142, LOT 4.01, 711 CHELSEA ROAD, IN THE CITY OF ABSECON,
COUNTY OF ATLANTIC AT A PUBLIC AUCTION**

WHEREAS, the Council of the City of Absecon has determined to offer for public sale, Block 142, Lot 4.01, 711 Chelsea Road, in the City of Absecon, New Jersey; and

WHEREAS, said notice of sale has been advertised as required by N.J.S.A. 40A:12-13(a); and

WHEREAS, _____, has offered a bid of \$ _____ for the purchase of said lands and no higher bid having been received;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that the said lands are sold to _____ for the sum of \$ _____ subject to the following conditions:

1. The minimum price shall be \$ _____
2. A deposit of ten percent (10%) of the minimum bid shall be required from the successful bidder, on the evening of purchase to be paid by cash or certified check payable to the City of Absecon. In the event the final purchase price is in excess of the minimum bid, the successful bidder shall, within seventy-two (72) hours of the bidding, post an additional ten percent (10%) of the difference between the minimum bid and final purchase price. The total deposit placed by the successful bidder shall be retained by the City as a non-refundable deposit and shall be considered as liquidated damages and not as a penalty, if the sale is not consummated pursuant to terms and conditions as set forth herein.
3. Settlement between the City of Absecon and the purchaser shall take place within thirty (30) days of the date of sale.
4. The successful bidder must bear all costs associated with the sale including advertising, title search, insurance fees, surveys, if any, recording and legal fees, and/or subdivisions, as required. The successful bidder shall also be solely responsible to pay any application fees required for any Municipal or State approvals.
5. In the event the successful bidder is not able to comply with the aforementioned conditions, then the City may, at its option, elect to rescind the sale and the City shall then repay to said successful bidder the purchase price less ten percent (10%) of the purchase price.

6. Nothing contained within this Resolution shall be construed to exempt the purchaser from any applicable Federal, State, Municipal Statute, Ordinance or Regulation.
7. The City of Absecon shall have the right to reject all bids.

Dated: July 15th, 2021

**This is to certify that this is a true
copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular Meeting held July 15th, 2021**

**ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk**

CITY OF ABSECON

RESOLUTION 92-2021

**A LAND OFFER RESOLUTION TO SELL PROPERTY KNOWN AS
BLOCK 142, LOT 4.02, 690 BLENHEIM AVENUE, IN THE CITY OF
ABSECON, COUNTY OF ATLANTIC AT A PUBLIC AUCTION**

WHEREAS, the Council of the City of Absecon has determined to offer for public sale, Block 142, Lot 4.02, 690 Blenheim Avenue, in the City of Absecon, New Jersey; and

WHEREAS, said notice of sale has been advertised as required by N.J.S.A. 40A:12-13(a); and

WHEREAS, _____, has offered a bid of \$ _____ for the purchase of said lands and no higher bid having been received;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that the said lands are sold to _____ for the sum of \$ _____ subject to the following conditions:

1. The minimum price shall be \$ _____
2. A deposit of ten percent (10%) of the minimum bid shall be required from the successful bidder, on the evening of purchase to be paid by cash or certified check payable to the City of Absecon. In the event the final purchase price is in excess of the minimum bid, the successful bidder shall, within seventy-two (72) hours of the bidding, post an additional ten percent (10%) of the difference between the minimum bid and final purchase price. The total deposit placed by the successful bidder shall be retained by the City as a non-refundable deposit and shall be considered as liquidated damages and not as a penalty, if the sale is not consummated pursuant to terms and conditions as set forth herein.
3. Settlement between the City of Absecon and the purchaser shall take place within thirty (30) days of the date of sale.
4. The successful bidder must bear all costs associated with the sale including advertising, title search, insurance fees, surveys, if any, recording and legal fees, and/or subdivisions, as required. The successful bidder shall also be solely responsible to pay any application fees required for any Municipal or State approvals.
5. In the event the successful bidder is not able to comply with the aforementioned conditions, then the City may, at its option, elect to rescind the sale and the City shall then repay to said successful bidder the purchase price less ten percent (10%) of the purchase price.

6. Nothing contained within this Resolution shall be construed to exempt the purchaser from any applicable Federal, State, Municipal Statute, Ordinance or Regulation.
7. The City of Absecon shall have the right to reject all bids.

Dated: July 15th, 2021

**This is to certify that this is a true
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**ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk**

CITY OF ABSECON

ORDINANCE 13-2021

AN ORDINANCE CREATING CHAPTER 152 OF THE CODE OF THE CITY OF ABSECON TO IMPLEMENT PROVISIONS OF THE NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKETPLACE MODERNIZATION ACT

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 Act establishes six marketplace classes of licensed businesses, including: Class 1 Cannabis Cultivator license, Class 2 Cannabis Manufacturer license; Class 3 Cannabis Wholesaler license; Class 4 Cannabis Distributer license; Class 5 Cannabis Retailer license; and Class 6 Cannabis Delivery license; and

WHEREAS, Section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act stipulates that any municipal regulation or prohibition of any of the above classes must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, section 40 of the Act authorizes municipalities by ordinance to adopt regulations which establish limited taxation of the above classes of activity within the municipality; and

WHEREAS, specifically, a municipality may adopt an ordinance imposing a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment that is located in the municipality and at the discretion of the municipality, the tax may be imposed on: receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older; or any combination thereof; and

WHEREAS, the City Council determines that it is appropriate to implement these measures as permitted by law.

NOW, THEREFORE, BE IT ORDAINED AND ADOPTED, by the City Council of the City of Absecon, County of Atlantic, State of New Jersey that Chapter 5 of the City Code, entitled "Cannabis Licensing and Regulations," is hereby established to read as follows:

SECTION I Chapter 5 of the City Code, entitled "Cannabis Licensing and Regulations," is hereby amended and supplemented to read as follows:

ARTICLE I

Purpose and Preemption

§152-1. Purpose.

It is the purpose of this Chapter to implement the provisions of P.L. 2021, c. 16, which authorizes the governing body of a municipality to adopt ordinances imposing local regulation and licensing, and taxation on cannabis establishments, and regulating the consumption of cannabis in public areas.

§152-2. Preemption.

The regulations of this Ordinance are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities, including the Cannabis Regulatory Commission. If any provision of this Ordinance is inconsistent with state statutes and/or regulations, the state statutes and/or regulations shall prevail.

ARTICLE II

Definitions

§152-3. Definitions.

- A. "Cannabis" means all parts of the plant *Cannabis sativa* L., 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 P.L.2021, c. 16 (C.24:6I-31 et al.) for use in cannabis products as set forth in this 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 "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c. 307 (C.24:6I-1 et al.) and P.L.2015, c. 158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c. 114 (C.2C:35B-1 et seq.), or marihuana as defined in section 2 of P.L.1970, c. 226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c. 226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c. 238 (C.4:28-6 et al.).

- B. "Cannabis consumption area" means, as further described in section 28 of P.L.2019, c. 153 (C.24:6I-21), a designated location operated by a licensed cannabis retailer or permit holder for dispensing medical cannabis, for which both a State and local endorsement has been obtained, that is either: (1) an indoor, structurally enclosed area of the cannabis retailer or permit holder that is separate from the area in which retail sales of cannabis items or the dispensing of medical cannabis occurs; or (2) an exterior structure on the same premises as the cannabis retailer or permit holder, either separate from or connected to the cannabis retailer or permit holder, at which cannabis items or medical cannabis either obtained from the retailer or permit holder, or brought by a person to the consumption area, may be consumed.
- C. "Cannabis cultivator" means any licensed person or entity that grows, cultivates, or produces cannabis in this State, 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. This person or entity shall hold a Class 1 Cannabis Cultivator license.
- D. "Cannabis delivery service" means any licensed person or entity 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. This person or entity shall hold a Class 6 Cannabis Delivery license.
- E. "Cannabis distributor" means any licensed person or entity 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. This person or entity shall hold a Class 4 Cannabis Distributor license.
- F. "Cannabis establishment" means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.
- G. "Cannabis extract" means a substance obtained by separating resins from cannabis by: (1) a chemical extraction process using a hydrocarbon-based solvent, such as butane, hexane, or propane; (2) a chemical extraction process using the hydrocarbon-based solvent carbon dioxide, if the process uses high heat or pressure; or (3) any other process identified by the Cannabis Regulatory Commission by rule or regulation.
- H. "Cannabis flower" means the flower of the plant *Cannabis sativa* L. within the plant family Cannabaceae.
- I. "Cannabis item" means 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 "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c. 307 (C.24:6I-1 et al.) and P.L.2015, c. 158 (C.18A:40-

12.22 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c. 238 (C.4:28-6 et al.).

- J. "Cannabis leaf" means the leaf of the plant *Cannabis sativa* L. within the plant family Cannabaceae.
- K. "Cannabis manufacturer" means any licensed person or entity 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. This person or entity shall hold a Class 2 Cannabis Manufacturer license."
- L. "Cannabis paraphernalia" means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing a cannabis item into the human body. "Cannabis paraphernalia" does not include drug paraphernalia as defined in N.J.S.2C:36-1 and which is used or intended for use to commit a violation of chapter 35 or 36 of Title 2C of the New Jersey Statutes.
- M. "Cannabis product" means a product containing usable cannabis, cannabis extract, or any other cannabis resin and other ingredients intended for human consumption or use, including a product intended to be applied to the skin or hair, edible cannabis products, ointments, and tinctures. "Cannabis product" does not include: (1) usable cannabis by itself; or (2) cannabis extract by itself; or (3) any other cannabis resin by itself.
- N. "Cannabis retailer" means any licensed person or entity 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. This person or entity shall hold a Class 5 Cannabis Retailer license.
- O. "Cannabis testing facility" means an independent, third-party entity meeting accreditation requirements established by the Cannabis Regulatory Commission that is licensed to analyze and certify cannabis items and medical cannabis for compliance with applicable health, safety, and potency standards.
- P. "Cannabis wholesaler" means any licensed person or entity 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. This person or entity shall hold a Class 3 Cannabis Wholesaler license.

- Q. "Conditional Approval" means a determination by the City that the Applicant has complied with the provisions of this Chapter.
- R. "Conditional license" means a temporary license designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license that allows the holder to lawfully act as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service as the case may be, which is issued pursuant to an abbreviated application process, after which the conditional license holder shall have a limited period of time in which to become fully licensed by satisfying all of the remaining conditions for licensure which were not required for the issuance of the conditional license.
- S. "Consumption" means the act of ingesting, inhaling, or otherwise introducing cannabis items into the human body.
- T. "Delivery" means the transportation of cannabis items and related supplies to a consumer. "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.
- U. "Financial consideration" means value that is given or received either directly or indirectly through sales, barter, trade, fees, charges, dues, contributions, or donations.
- V. "Immature cannabis plant" means a cannabis plant that is not flowering.
- W. "Local Cannabis License" means a current and valid license for a Cannabis Establishment issued under this Ordinance, which shall be granted to a Local Cannabis Licensee only for and limited to a specific Licensed Premises and a specific Licensed Property.
- X. "Local Cannabis Licensee" means the individual, organization, partnership, company, corporation, enterprise, or other entity that holds a current and valid Local Cannabis License issued under this Ordinance as well as the person or persons associated with the Local Cannabis Licensee as Applicant(s) for that Local Cannabis License.
- Y. "Licensed Premises" means the particular building, buildings, or tenant space within which the Local Cannabis Licensee will be authorized to conduct the Facility's activities pursuant to the Local Cannabis License.
- Z. "Licensed Property" means the real property comprised of a lot, parcel, or other designated unit of real property upon which the Licensed Premises is situated.

- AA. "License" means a license issued under P.L.2021, c. 16 (C.24:6I-31 et al.), including a license that is designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license. The term includes a conditional license for a designated class, except when the context of the provisions of P.L.2021, c. 16 (C.24:6I-31 et al.) otherwise intend to only apply to a license and not a conditional license.
- BB. "Licensee" means a person or entity that holds a license issued under P.L.2021, c. 16 (C.24:6I-31 et al.), including a license that is designated as either a Class 1 Cannabis Cultivator license, a Class 2 Cannabis Manufacturer license, a Class 3 Cannabis Wholesaler license, a Class 4 Cannabis Distributor license, a Class 5 Cannabis Retailer license, or a Class 6 Cannabis Delivery license, and includes a person or entity that holds a conditional license for a designated class, except when the context of the provisions of P.L.2021, c. 16 (C.24:6I-31 et al.) otherwise intend to only apply to a person or entity that holds a license and not a conditional license.
- CC. "Licensee representative" means an owner, director, officer, manager, employee, agent, or other representative of a licensee, to the extent that the person acts in a representative capacity.
- DD. "Manufacture" means the drying, processing, compounding, or conversion of usable cannabis into cannabis products or cannabis resins. "Manufacture" does not include packaging or labeling.
- EE. "Mature cannabis plant" means a cannabis plant that is not an immature cannabis plant.
- FF. "Medical cannabis" means cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c. 307 (C.24:6I-1 et al.) and P.L.2015, c. 158 (C.18A:40-12.22 et al.). "Medical cannabis" does not include any cannabis or cannabis item which is cultivated, produced, processed, and consumed in accordance with P.L.2021, c. 16 (C.24:6I-31 et al.).
- GG. "Premises" or "licensed premises" includes the following areas of a location licensed under P.L.2021, c. 16 (C.24:6I-31 et al.): all public and private enclosed areas at the location that are used in the business operated at the location, including offices, kitchens, rest rooms, and storerooms; all areas outside a building that the Cannabis Regulatory Commission has specifically licensed for the production, manufacturing, wholesaling, distributing, retail sale, or delivery of cannabis items; and, for a location that the commission has specifically licensed for the production of cannabis outside a building, the entire lot or parcel that the licensee owns, leases, or has a right to occupy.
- HH. "Produce" means the planting, cultivation, growing or harvesting of cannabis. "Produce" does not include the drying of cannabis by a cannabis manufacturer, if the cannabis manufacturer is not otherwise manufacturing cannabis.
- II. "Public place" means any place to which the public has access that is not privately owned; or any place to which the public has access where alcohol consumption is not allowed,

including, but not limited to, a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, playground, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library, or any other public building, structure, or area.

ARTICLE III

Licensing and Regulations

§152-4. Local Cannabis License; Classification & Number of Local Cannabis Licenses

- A. Local Cannabis License Required. No person shall operate a Cannabis Establishment, Distributor or Delivery Service at any time or from any location within the City unless a currently effective Local Cannabis License for that Person at that Licensed Premises has been issued under this Ordinance.
- B. Classification & Number of Local Cannabis Licenses. The City, subject to State licensure, may issue the following Local Cannabis Licenses:

Class of License	Maximum Number of Licenses
Class I - Cannabis Cultivator license	3
Class II - Cannabis Manufacturer license	3
Class III - Cannabis Wholesaler license	3
Class IV - Cannabis Distributor license	3
Class V - Cannabis Retailer license	3
Class VI - Cannabis Delivery license	3

- C. Dual Local Cannabis Licenses. The licensure and dual operation in multiple classes of Local Cannabis Licenses is permitted so long as all licenses are held by the same Local Cannabis Licensee, all applicable state and local licenses have been issued, such licenses remain valid, active and in compliance with all applicable state and City requirements.
- D. Conditional Approval for Local Cannabis License. The number of Conditional Approvals for Local Cannabis Licenses shall not be limited by the provisions of **§5-4(B)**.

§152-5. – Cannabis Retailer License Prohibited within 200 feet.

No Cannabis Retailer License shall be issued for the sale of cannabis within two hundred feet of any church, park or public or private schoolhouse. The protection of this section may be waived at the issuance of the license and at each renewal thereafter, by the duly authorized governing body on authority of such church, government entity or school, such waiver to be effective until the date of the next renewal of the license. Said two hundred feet shall be measured in the normal way that a pedestrian would properly walk from the nearest entrance of said church, park or school to the nearest entrance of the premises sought to be licensed.

The prohibition contained in this section shall not apply to the renewal of any Cannabis Retailer License where no such church, park or schoolhouse was located within two hundred feet of the licensed premises at the time of the issuance of the original Cannabis Retailer License.

§152-6. Local Consumption Areas Prohibited

No entity in possession of a Local Cannabis License shall permit the consumption of cannabis in or upon a licensed premises. The City Administrator shall deny any request for local endorsement and/or approval of a Cannabis Consumption Area.

§152-7. Local Cannabis Licensing Authority.

The City Administrator is hereby designated to act as the local licensing authority for the City for all Local Cannabis Licenses. The City Administrator shall coordinate and cooperate with the Absecon Cannabis Regulating Committee, which Committee includes: the Mayor, the City Administrator, the Chief of Police and the City Council Chairpersons of the Public Safety Committee, the Finance Committee and the Economic Development Committee. Under all circumstances in which State law requires communication to the City by the Cannabis Regulatory Commission or any other State agency with regard to cannabis licensing by the State, or in which State law requires any review or approval by the City of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be exercised by the City Administrator.

§152-8. Application Requirements

An application for a Local Cannabis License shall be submitted on current forms provided by the City with an application fee pursuant to §5-12. At least one controlling beneficial owner shall sign all applications. However, other owners with day-to-day management authority may be required to sign authorizations, requests to release information and other forms required by licensing authority staff. Applications shall be complete and accurate and must include all attachments, checklists, verifications and supporting documents required by the City's current application forms before the application will be accepted or considered. The City may refuse to accept an incomplete application.

§152-9. Procedures & Requirements for Approval

- A. Application review. All Applications for a Local Cannabis License shall be referred to a Absecon Cannabis Regulating Committee for purpose of reviewing the application and discussing the Applicant's compliance with this Chapter. The Applicant will be provided an opportunity to make a presentation and answer any questions of the members of the subcommittee.
- B. Local licensing authority considerations. The local licensing authority may consider the facts and evidence adduced as a result of the Application Review, as well as any other facts pertinent to the type of license for which the application has been made. Such facts include, but are not limited to, the number, type, and availability of cannabis businesses located in or near the premises under consideration and other pertinent matters affecting the qualification of the applicant for the conduct of the type of business proposed, including, but not limited to, the applicant possessing a minority, women's, or disabled veterans' business certification

provided to the Applicant by the Office of Minority, Disabled Veterans, and Women Cannabis Business Development pursuant to N.J.S.A. 24:6I-25.

- C. Conditional Approval. After review and consideration by the subcommittee, the local licensing authority may grant a Conditional Approval if concluded that the applicant has met the requirements set forth in this Chapter. A Conditional Approval shall entitle the Applicant to pursue a State license in the appropriate classification for up to 18 months. A Conditional Approval shall not grant the Applicant any right or privilege to a Local Cannabis License.
- D. Limitation on Number of Licenses. The number of Local Cannabis Licenses for each class of license are limited pursuant to **§5-4(B)**. A Local Cannabis License will not be issued to an Applicant that has obtained a Conditional Approval if the maximum number of Local Cannabis Licenses for the same class have been issued by the City.
- E. Denial of Conditional Approval. The City shall deny a Conditional Approval to any Applicant who fails to provide information, documentation and assurances as required by this Chapter or as requested by the City, or who fails to reveal any material fact to qualification, or who supplies information which is untrue or misleading as to a material fact pertaining to the qualification criteria for licensure. The City shall grant a Conditional Approval upon a determination that the Applicant has met the requirements of this Chapter unless the City finds by clear and convincing evidence that the Applicant would be manifestly unsuitable to perform the activities for the applicable license class for which Conditional Approval is sought.

A written decision with findings supporting the denial of the Conditional Approval shall be sent by certified mail to the applicant at the address shown in the application.

- F. Termination of Conditional Approval. A Conditional Approval shall be valid for 18 months, unless otherwise revoked, from the date of approval.

§152-10. Procedures & Requirements for Issuance of Local Cannabis License

No Local Cannabis License shall be issued until the Applicant has received a State license and satisfied other prerequisites of the Conditional Approval.

- A. Notice to City. An Applicant shall notify the City upon meeting all conditions of the Conditional Approval. The notice shall include a copy of the State license, a copy of the full application submitted to the State of New Jersey and a statement affirming that the Applicant has not made any material changes to the original application.
- B. Issuance of Local Cannabis License. The City shall issue a Local Cannabis License once satisfied that the conditions of the Conditional Approval have been met.
- C. License duration. Unless revoked or suspended, local licenses shall run concurrently with state licenses. This means that once a Local Cannabis License is issued, such license will expire, unless otherwise revoked as provided for herein, on the same date as the current state license.

§152-11. Regulations

A Local Cannabis Licensee shall at all times comply with the following operational requirements, which the City may review and amend from time to time as it determines reasonable.

- A. Scope of Operation. A Local Cannabis Licensee shall comply with all respective applicable codes of the local zoning, building, and health departments. The Local Cannabis Licensee must hold a valid Local Cannabis License and State license for the classification intended to be carried out on the Licensed Property.
- B. Security. Local Cannabis Licensee shall at all times maintain a security system that meets State law requirements, and in addition shall also include the following:
 - a. Robbery and burglary alarm systems which are professionally monitored and operated twenty-four (24) hours a day, seven (7) days a week and which will contact local law enforcement if triggered;
 - b. All security recordings and documentations shall be preserved for at least thirty (30) days by the Local Cannabis Licensee and made available to any law enforcement upon request for inspection.
- C. Operating Hours. Hours of operation for the Class V Cannabis Retail License holders shall be limited to an operating schedule of 10 a.m. to 10 p.m. All other Classes of licensure may operate 24 hours per day.
- D. Sign Restrictions. No signs, pictures, photographs, drawings or other depictions shall appear on the outside of any Licensed Premises nor be visible outside of the Licensed Premises on the Licensed Property nor advertise in a way that is inconsistent with and federal, state, or local rule or regulation.
- E. Permits. All necessary building, electrical, plumbing and mechanical licenses must be obtained for any part of the Licensed Premises in which electrical, wiring, lighting or watering devices that support the cultivation, growing, harvesting or testing of cannabis are located.
- F. Waste Disposal. The Local Cannabis Licensee shall use lawful methods in controlling waste or by-products from any activities allowed under the Local Cannabis License. All waste or by-products stored must be contained in a dumpster that is locked or located within a locked enclosure.
- G. Indoor Operation. All activities permitted pursuant to a Local Cannabis License, including without limitation, distribution, growth, manufacturing, cultivation, or the sale of cannabis, and all other related activity must occur indoors.
- H. Odor Prohibited. A Local Cannabis Licensee's operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system or other appropriate system.

- I. Nuisance Prohibited. The Licensed Premises shall not be operated in a manner that creates noise, dust, or glare beyond the boundaries of the property; or create any other nuisance that hinders the public health, safety and welfare.
- J. Additional Conditions. The City may impose such reasonable Terms and Conditions on a Local Cannabis Licensees as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this Ordinance and applicable law.

§152-12. Application Fee.

At the time of application, each applicant shall pay a nonrefundable application fee to defray the costs associated with the processing of the application. The application fee shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or City law or ordinance, including, by way of example, the Annual Licensing Fee pursuant to **§152-13**.

The Application Fee shall be \$10,000, for licenses for Classes I through and including Class V. The Application Fee for a Class VI license shall be \$2,500. Application Fees may be modified annually by resolution of the City Council of the City of Absecon.

§152-13. Annual Licensing Fee.

- A. The Local Cannabis Licensee shall pay an annual licensing fee for each license held as follows:

Class of License	License Fee
Class I - Cannabis Cultivator license	\$10,000
Class II - Cannabis Manufacturer license	\$10,000
Class III - Cannabis Wholesaler license	\$10,000
Class IV - Cannabis Distributor license	\$10,000
Class V - Cannabis Retailer license	\$10,000
Class VI - Cannabis Delivery license	\$ 2,500

- B. Payment Date. Annual Licensing Fee(s) shall be due and payable on the date the City issues a Local Cannabis License and shall be payable annually thereafter on the yearly anniversary of the issuance of the license.
- C. Late Fees. The failure of a Local Cannabis Licensee to pay the Annual Licensing Fee when due, will result in the assessment of a Late Fee as follows:
 - a. One (1) to Seven (7) days late, a late fee equivalent to two (2%) percent of the Annual Licensing Fee.
 - b. Eight (8) to Fifteen (15) days late, a late fee equivalent to five (5%) percent of the Annual Licensing Fee.

- c. Sixteen (16) to Thirty (30) days late, a late fee equivalent to ten (10%) percent of the Annual Licensing Fee.
- d. After expiration of Thirty (30) days the Local Cannabis Licensee shall cease operations.

§152-14. Local Cannabis License Renewals.

- A. Timing of Renewal Application. An application for renewal of a Local Cannabis License shall be filed at least sixty calendar days prior to the expiration date of the current license.
- B. Renewal Application Procedures. The renewal application shall contain all the information required for new applications. The applicant shall pay a fee pursuant to **§5-12** to cover the costs of processing the renewal permit application. An application for renewal of a Local Cannabis License shall be rejected if any of the following exists:
 - 1. The application is filed less than sixty days before its expiration.
 - 2. The Local Cannabis License is suspended or revoked at the time of the application.
 - 3. The Local Cannabis Licensee has not been in regular and continuous operation in the four months prior to the renewal application.
 - 4. The Local Cannabis Licensee has failed to conform to the requirements of this chapter, or of any regulations adopted pursuant to this chapter.
 - 5. The Local Cannabis Licensee fails or is unable to renew its state of New Jersey license.
 - 6. If the city or state has determined, based on substantial evidence, that the Local Cannabis Licensee is in violation of the requirements of this Chapter, or of the state rules and regulations, and the city or state has determined that the violation is grounds for termination or revocation of the Local Cannabis License.
- C. Conditions of Renewal. The Local Licensing Authority is authorized to make all decisions concerning the issuance of a renewal license. In making the decision, the Local Licensing Authority is authorized to impose additional conditions to a renewal license, if it is determined to be necessary to ensure compliance with state or local laws and regulations or to preserve the public health, safety or welfare. Appeals from the decision of the cannabis review committee shall be appealable to the city council pursuant to **§5-16**.

§152-15. Transfer of Local Cannabis License.

- A. Non-transferable. A Local Cannabis Licensee shall not transfer ownership or control of the Local Cannabis License to another person or entity unless and until the transferee obtains an amendment to the license from the Local Licensing Authority stating that the transferee is now the licensee. Such an amendment may be obtained only if the transferee files an application in accordance with all provisions of this chapter (as though the transferee were

applying for an original Local Cannabis License). The proposed transferee's application shall be accompanied by an Application Fee pursuant to **§5-12**.

No Local Cannabis License may be transferred when the Local Licensing Authority has notified the licensee that the permit has been or may be suspended or revoked.

- B. Change in Ownership. Changes in ownership of a Local Cannabis Licensee's business structure or a substantial change in the ownership of a Local Cannabis Licensee's business entity (changes that result in a change of more than fifty-one percent of the original ownership) must be approved by the Local Licensing Authority through the transfer process contained in subsection (A) of this section. Failure to comply with this provision is grounds for permit revocation.
- C. Any attempt to transfer a Local Cannabis License either directly or indirectly in violation of this section is hereby declared void, and such a purported transfer shall be deemed a ground for revocation of the permit.

§152-16. Suspension of License

The Local Licensing Authority may revoke, suspend, or decline to renew any Local Cannabis License issued under this Chapter, or for any violation of any law and/or any rule, regulation policy, procedure or regulation in this Chapter. Grounds for revocation, suspension or nonrenewal of a license or permit shall include the following:

- A. The failure of the Local Cannabis Licensee to comply with the provisions of this chapter or any other law pertaining to commercial cannabis businesses;
- B. The giving of false or misleading information by the Local Cannabis Licensee in making application for a Local Cannabis License or in connection with an investigation conducted by the city or any other state, local or federal agency;
- C. Any cause for denying an original Local Cannabis License as set forth in this Chapter;
- D. The revocation, suspension, or nonrenewal of associated state licenses/permits, which revocation, suspension or nonrenewal the Local Cannabis Licensee shall disclose immediately to the Local Licensing Authority;
- E. The failure of the Local Cannabis Licensee to diligently initiate business operations or to continue to carry on business operations in a manner substantially as set forth in the business plan, safety and security plan and application submitted in support of the Local Cannabis Licensee's original or renewal application to operate.

The determination of the Local Licensing Authority to suspend, revoke or decline to renew a Local Cannabis License shall be made in writing and mailed or delivered to the Local Cannabis Licensee's registered agent. The determination of the Local Licensing Authority shall become effective ten days following the date of the notice of that determination. The Local Cannabis Licensee may, during such ten-day period, appeal the determination of the Local Licensing Authority to the city council. If the Local Cannabis License fails to file the notice of appeal within such ten-day period, the determination of the Local Licensing Authority shall be final and

conclusive. If a written notice of appeal is filed with the city clerk during such ten-day period, the determination of the Local Licensing Authority shall be stayed pending the city council's hearing and decision on the appeal.

§152-17. Liability & Indemnification

- A. By accepting a Local Cannabis License issued pursuant to this Chapter, the Local Cannabis Licensee waives and releases the City, its officers, elected officials, and employees from any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of Local Cannabis Licensee's owners, operators, employees, clients or customers for a violation of state or federal laws, rules or regulations.
- B. By accepting a Local Cannabis License issued pursuant to this Chapter, all Local Cannabis Licensees agree to indemnify, defend and hold harmless the City, its officers, elected officials, employees, and insurers, against all liability, claims or demands arising on account of bodily injury, sickness, disease, death, property loss or damage or any other loss of any kind, including but not limited to, any claim of diminution of property value by a property owner whose property is located in proximity to a Licensed Property, arising out of, claimed to have arisen out of, or in any manner connected with the operation of a marihuana establishment or use of a product cultivated, processed, distributed or sold that is subject to the Local Cannabis License, or any claim based on an alleged injury to business or property by reason of a claimed violation of the federal Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. Section 1964(c) or any other alleged violation of the law
- C. By accepting a Local Cannabis License issued pursuant to this Chapter, a Local Cannabis Licensee agrees to indemnify, defend and hold harmless the City, its officers, elected officials, employees and insurers, against all liability, claims, penalties, or demands arising on account of any alleged violation of any existing law including the federal Controlled Substances Act, 21 U.S.C. Section 801 et seq.

§152-18. Local Cannabis License as Revocable Privilege

A Conditional Approval and Local Cannabis License granted by this Chapter are a revocable privilege granted by the City and are not a property right. Granting a license does not create or vest any right, title, franchise, or other property interest. Each Local Cannabis License is exclusive to the Local Cannabis Licensee, and a Local Cannabis Licensee or any other person must apply for and receive the City's approval before a Local Cannabis License is transferred, sold, or purchased. A Local Cannabis Licensee or any other person shall not lease, pledge, or borrow or loan money against a license. The attempted transfer, sale, or other conveyance of an interest in a Local Cannabis License without prior state and local approval is grounds for suspension or revocation of the Local Cannabis License or for other sanction considered appropriate by the City.

ARTICLE IV

Cannabis Taxation

§152-19. Tax established.

- A. There is hereby established a local cannabis transfer tax in the City of Absecon which shall be fixed at a uniform percentage rate of two percent (2%) of the receipts from each sale by a cannabis cultivator; two percent (2%) of the receipts from each sale by a cannabis manufacturer; one percent (1%) of the receipts from each sale by a cannabis wholesaler; and two percent (2%) of the receipts from each sale by a cannabis retailer for every occupancy of a cannabis establishment in the City of Absecon.
- B. In addition to the tax established in paragraph A of this section, a user tax, at the equivalent transfer tax rates, is hereby established on any concurrent license holder, as permitted by section 33 of P.L.2021, c.16 (C.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 paragraph A of this subsection, from the license holder's establishment that is located in City of Absecon to any of the other license holder's establishments, whether located in this City or another municipality.
- C. 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 (C.54:32B-1 et seq.).

§152-20. Tax in addition to other taxes or fees.

The cannabis transfer tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon property or cannabis establishment.

§152-21. Collection.

- A. The transfer tax or user tax imposed by this article shall be collected or paid, and remitted to the City of Absecon 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 City by the cannabis retailer selling the cannabis item to that consumer. 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 value of the transfer, for the cannabis or cannabis item.
- B. Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section 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 non-payment 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 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 City of Absecon shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

- C. No cannabis establishment required to collect a transfer tax or user tax imposed by this section 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 or user tax will be refunded to the cannabis establishment or the consumer.
- D. All revenues collected from a transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the City of Absecon Chief Financial Officer on a quarterly basis payable for the prior three month's activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes or user taxes collected for the prior year months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

§152-22. Payment; vendor violations and penalties.

- A. The Chief Financial Officer shall collect and administer any transfer tax or user tax imposed to this section.
- B. The municipality shall enforce the payment of delinquent taxes or transfer fees imposed pursuant to this section in the same manner as provided for municipal real property taxes.
- C. In the event that the transfer tax or user tax imposed by this section is not paid as and 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.
- D. A municipality 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."

ARTICLE V

Prohibition of Public Consumption of Cannabis, Marijuana, and Hashish

§152-23. City Policy.

The purpose of this Article is to regulate conduct in Public Places affecting the public health, safety and general welfare by protecting residents of and visitors to the City of Absecon from the nuisance and health hazards of second hand cannabis smoke, and to provide for the public health, safety and welfare by discouraging the inherently dangerous behavior of consuming cannabis around non-users; by protecting the public from nonconsensual exposure to secondhand cannabis smoke and cannabis-related litter and pollution, and, by affirming the family-friendly atmosphere of public areas in the City Absecon.

§152-24. Restrictions on Public Consumption of Cannabis, Marijuana, and Hashish.

It is unlawful for any person to smoke or otherwise use or consume Cannabis while on the outdoor grounds of any City building, including adjacent parking lots, and in or on any Public Open Space, Parks, Public Right-of-Way, Recreation Area, or the area of any scheduled public event.

§152-25. Enforcement.

The City of Absecon Police Department is hereby charged with the enforcement of this section of the code. All members of the Police Department are hereby designated as enforcement officers for the purpose of enforcement of this section.

ARTICLE VI

§152-26. Violations and penalties.

- A. Any licensee who shall violate or fail to comply with the provisions of this chapter shall, upon conviction, have his, her or its license subject to a fine of \$2,500 for the first offense and \$3,500 for any subsequent offense as well as such penalties as may otherwise be provided by law.
- B. Any such person who shall violate or fail to comply with the provisions of this chapter shall, upon conviction, be subject to a minimum fine of \$250 or a maximum of \$2,000 or by imprisonment for a term not exceeding 90 days or by a period of community service not exceeding 90 days as well as such penalties as may otherwise be provided by law.

Dated: July 15th, 2021

SIGNED: _____
Kimberly Horton, Mayor

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

ORDINANCE 14-2021

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF ABSECON,
CHAPTER 297–SMOKING RESTRICTIONS IN RECREATION AREAS**

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ABSECON CITY, NEW JERSEY that Chapter 297-Smoking Restrictions in Recreation Areas, be amended to as follows:

§ 297-1. Prohibition Applicable to Ball Fields and Municipal Parks.

The City of Absecon, in accordance with N.J.S.A. 40-48-1 and J.J.S. a. 40:48-2, deems it in the public interest to prohibit smoking, defined as the burning of a cigar, cigarette, pipe or any other matter or substance which contains tobacco, cannabis, and/or other similar product in the areas of Absecon:

- A. The Municipal Park ("Pitney Park"} located at Pitney Road and also Morton Ave.
- B. The Municipal Park ("Heritage Park") located on Ambassador Drive
- C. The Municipal Park ("Faunce Landing") located on Faunce Landing Road and 4th Street
- D. The Municipal Park ("Turner Cove") located on White Horse Pike and Turner Avenue
- E. The Municipal Park ("Veteran's Park") located on 167 New Road
- F. The Municipal Park ("Franklin Blvd") located on North Franklin Blvd and E. Bolton Avenue

§ 297-3 – Violations and Penalties.

SECTION 1. Any person violating or failing to comply with any provisions of this article shall be fined \$150.00 for a first offense, and fined \$300.00 for subsequent offenses.

BE IT FURTHER ORDAINED that:

- 1. Any Ordinance or parts of ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of any such inconsistency.
- 2. This ordinance shall take effect upon final adoption and publication as required by Law.

Dated: July 15th, 2021

SIGNED: _____
Kimberly Horton, Mayor

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

ORDINANCE 09-2021

**AN ORDINANCE OF THE CITY OF ABSECON REPEALING AND REPLACING
CHAPTER 134 OF THE CODE OF THE CITY OF ABSECON CONCERNING THE
REMOVAL AND DESTRUCTION OF BRUSH, WEEDS, TRASH, DEBRIS AND
SOLID WASTE FROM PRIVATE PROPERTY WITHIN THE MUNICIPALITY**

WHEREAS, the City of Absecon ("City") is a municipal entity organized and existing under the laws of the State of New Jersey and located in Atlantic County; and

WHEREAS, pursuant to N.J.S.A. 40:48-2.13, the City authorized to enact and amend ordinances authorizing the removal and destruction of brush, weeds, trash and debris from private property within the municipality; and

WHEREAS, the Mayor and City Council have determined it to be in the best interest of the public health, safety and welfare to repeal and replace Chapter 134 to authorize the procedures for the removal and destruction of brush, weeds, trash and debris from private property within the municipality.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
ABSECON IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY AS FOLLOWS:**

Section 1. Chapter 134 of the Code of the City of Absecon is hereby repealed in its entirety and replaced with the following new sections:

§134-1. Title.

Removal and Destruction of Brush, Weeds, Trash, Debris and Solid Waste from Private Property.

§134-2. Findings.

It is hereby determined and declared that the existence of obnoxious growths and other matter hereafter described, upon lands in the City and lands which are not filled to proper legal grades and which permit the accumulation of stagnant waters, refuse and other obnoxious materials, or any one (1) or more of said conditions, may provide a means for the breeding of mosquitoes, flies and insects and may tend to permit the existence of dirt and vermin which would be contrary to the public health, safety and general welfare and could become a fire hazard and a nuisance which should be abated and abolished in the public interest.

It is hereby declared that this section is necessary in the interest of the public and especially the health of the public.

§134-3. Prohibited Activity.

It shall be unlawful for any owner(s), tenant(s) or occupant(s) of any lot or tract of land or any part thereof in the City:

- A. to permit, or maintain on any such lot or tract of land, any brush, weeds and/or grass over ten (10) inches, dead, or dying trees, stumps, roots, ragweed, poison ivy, poison sumac, obnoxious growths, filth, garbage, trash or debris, removal of which may be necessary and expedient for the protection of the public health, safety, or general welfare or to eliminate a fire hazard, or which constitutes a nuisance.
- B. to permit the storage of any solid waste in such a way that it is accessible to and likely to be strewn about by animals such as but not limited to dogs, cats, raccoons, birds, or rodents.
- C. to keep any brush, hedges and other plant life, that exceed two and one-half feet (2 ½) in height, from growing within ten (10) feet of any roadway and within twenty-five (25) feet of any intersection of the two (2) roadways.
- D. to bury any bushes, logs, branches, foliage or any other vegetable matter, or garbage, trash or debris.

§134-4. Notice; Time Limit to Remove.

Whenever an Enforcement Official, as defined herein, shall determine that there exists a violation of this Chapter, he/she shall give notice in writing to the owner(s), tenant(s) and occupant(s) of such lands to abate the condition, within the time prescribed herein. It shall be the duty of the owner(s), tenant(s) or occupant(s) of the lot or tract of land or any part thereof in the City,

- A. to cut and remove or cause to be cut and removed or otherwise destroyed, all such brush, weeds, dead or dying trees, stumps, roots, ragweed, poison ivy, poison sumac, obnoxious growths, filth, garbage, trash or debris, within ten (10) days after receiving notice to do so. After removal, the lot or tract of land or any part thereof shall be leveled to grade to prevent puddles or water holes.
- B. to remove or cause to be destroyed, any solid waste stored in such a way that it is accessible to and likely to be strewn about by animals such as but not limited to dogs, cats, raccoons, birds, or rodents, within seventy-two (72) hours after receiving notice to do so.
- C. to cut and remove or cause to be cut and removed or otherwise destroyed, that exceed two and one-half feet (2 ½) in height, all brush, hedges and other plant life, growing within ten (10) feet of any roadway and within twenty-five (25) feet of any intersection of two (2) roadways.

The notice shall be given personally or by registered or certified mail, return receipt requested, directed in the case of an owner to the address of the owner as the same appears upon the last tax duplicate of the City and in the case of a tenant to the street address of the premises in question or to the last known address in case the lands are unimproved. In the event that

personal service cannot be made because the owner or agent is not a resident of the City or in the event that service by certified mail is unaccepted, then the Enforcement Official shall post said notice in a conspicuous place on the premises.

§134-5. Abatement by City.

If the owner(s), tenant(s) or occupant(s), upon being notified as provided by this Chapter, shall not comply with the notice within the time specified therein and fail to remove or abate such conditions, the City shall proceed to abate the nuisances and hazard or may cause it to be removed or abated and assess the costs thereof against the lands, and the costs shall become a lien collectible in the same manner as delinquent taxes.

§134-6. Costs to Become Lien.

In addition to any other penalties provided herein, if the Enforcement Officer removes or abates the condition as a result of the owner(s), tenant(s) or occupant(s)' failure or refusal to do so, the Enforcement Officer shall certify the cost thereof to the City Council, which shall examine the certificate and if found correct shall cause the cost as shown thereon to be charged against said lands, or in the event that such cost is excessive to cause the reasonable cost thereof to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as other taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

§134-7. Failure to Meet Time Limit.

Upon the failure of any owner(s), tenant(s) or occupant(s) to correct any condition described in this section within the time specified by any such notice, any and all of said persons are hereby deemed to have violated the provisions of this section based upon the state of facts as may be found to exist with respect to the notice.

§134-8. Enforcement.

The City Code Enforcement Official shall have primary responsibility for enforcing the provisions of this section. In addition, the following individuals shall also have the authority to enforce the provisions of this Chapter.

- A. Code Enforcement Official
- B. Zoning Official
- C. Construction Official
- D. Sub-code Officials
- E. The Chief of Police or any member of the Absecon Police Department as well as any other official authorized by resolution of the City Council to enforce this section.

§134-9. Proof of Notice.

Whenever any notice is required to be given, the person giving such notice shall file proof thereof by affidavit and shall file the same in the Office of the City Clerk; but a failure to file any such proof shall not invalidate the proceedings if service in fact has been made as provided for by law.

§134-10. Penalties.

- A. First Offense: Any person, entity, firm, corporation or group who has been cited for violation of this Chapter, may plead guilty by affidavit through the City of Absecon Municipal Court. The fine for a first time offense, plead guilty by affidavit, is fifty (\$50.00) dollars. The offending party may also appear in Municipal Court and plead not guilty to the citation, and be heard before the Court.
- B. Second and/or Subsequent Offenses: Any subsequent offenses of this section shall be scheduled for Court, at which time, the person, entity, firm, corporation, or group who has been cited for violation of this section will be required to appear in Municipal Court, and could be held responsible for court costs and subject to a fine of not less than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars. Each day that a violation continues shall be deemed a separate offense.

In addition to any penalty, the violation must be corrected by the notice date and must be properly maintained thereafter, or the owner of the property will be cited for an additional offense and will be required to appear in Municipal Court. Each day that a violation continues shall be deemed a separate offense.

Section 2. - If any section, paragraph, subsection, clause or revision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. - All Ordinances of the City of Absecon heretofore adopted that are inconsistent with any terms and revisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. - This Ordinance shall take effect immediately upon final passage and publication according to law.

DATED: July 15th, 2021

SIGNED: _____
Kimberly Horton, Mayor

ATTEST: _____
Carie A. Crone, RMC Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on June 17th, 2021.
Laid over and advertised for public hearing and final adoption on July 15th, 2021.

CITY OF ABSECON

ORDINANCE 10-2021

AN ORDINANCE AMENDING CHAPTER 224 OF THE CODE OF THE CITY OF ABSECON TO ESTABLISH CANNABIS LAND USE REGULATIONS

WHEREAS, On February 22, 2021, Governor Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization 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 establishments, use and possession; and,

WHEREAS, the Act establishes six (6) marketplace classes of licensed cannabis businesses; and,

WHEREAS, the City of Absecon is seeking to establish regulations regarding cannabis establishments in the Municipality; and,

WHEREAS, the City's Land Use and Development Ordinance must be amended to establish regulations for the various classes of cannabis establishments in respective zoning districts; and,

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Absecon that Chapter 224 of the Code of the City of Absecon be amended as follows:

Section 1:

The Cannabis Class Location Map is hereby incorporated into Chapter 224 of the Code of the City of Absecon as Attachment 5 and shall delineate the areas within the City of Absecon where specific classes of cannabis establishments are permitted as conditional uses. This amendment shall be enacted in accordance with the attached map.

The specific lots and blocks to be affected at the time of this amendment are as follows:

Proposed Permitted Marketplace Classes	Existing Zoning	Block	Lots
Class 5: Retailer Class 6: Delivery	DC	125	1
		126	1
		127	1, 2
		128	8
		129	2, 3, 4
		185	1
		186	1
Proposed Permitted Marketplace Classes	Existing Zoning	Block	Lots
Class 5: Retailer Class 6: Delivery	C1	158	1.01, 1.02, 2, 3, 4, 5, 6
		159	1, 2, 3, 4, 5.01, 5.02
		160	9, 10, 12
		162	6, 7
		170	21, 22

		212	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15
		213	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
	HC	190	1, 2.01, 2.02, 3, 4
		189	1, 3, 5, 6, 7, 8, 9, 10, 11.01, 11.02, 12, 13
		204	8, 10
		206	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.01, 11.02, 12, 13, 14, 15, 16
		207	1, 3, 4, 5, 6, 7.01, 7.02, 8, 9, 10, 11
		214	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
		215	1.01, 1.02
		219	1, 2
		219.01	2, 3
All Classes	HD	224	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 25, 27, 28, 29
		225	1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19
Class 1: Cultivator Class 2: Manufacturer Class 3: Wholesaler Class 4: Distributor Class 6: Delivery	I/PI	229	1, 2
		230	1
		238	1, 2, 3, 4, 5.01, 5.02, 5.03, 6, 7, 8
		249	1
		250	1
		251	1
		252	1
		253	1, 2, 3, 4, 5
		254	1, 2, 3, 4, 5
		255	1
		258	1.02, 1.133, 2, 3
		259	1, 2, 3, 4, 5
		260	1.01, 1.02
		261	1, 2, 3, 4, 5, 6, 7.01, 7.02
		262	1, 2, 3.01, 3.02, 3.03, 4, 5, 6, 7, 8, 9, 10, 11
		263.01	1
		263.02	1
		264	1.01, 1.02, 1.03, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
Proposed Permitted Marketplace Classes	Existing Zoning	Block	Lots
Class 1: Cultivator Class 2: Manufacturer Class 3: Wholesaler Class 4: Distributor Class 6: Delivery	I/PI	266	1
		267	1, 2, 3, 4, 5, 6
		268	1, 2, 3, 4, 5, 6, 7, 8
		269	1, 2.01, 2.02, 3, 4, 5, 6, 7, 8, 9, 10, 11.01, 11.02
		270	1.01, 1.02, 2, 3
		271	1
		272	1, 2.01, 2.02, 3
		273	1
		274	1, 2, 3, 4, 5

	275	1, 2, 3
	276	1, 2, 3, 4
	277	1, 2, 3
	278	1, 2
	279	1, 2, 3, 4, 5
	280	1, 2, 3, 4, 5, 6
	281	1, 2, 3
	282	1, 2, 3, 4, 5, 6, 7
	283	1, 2, 3, 4, 5, 6, 7, 8, 9
	284	1, 2, 3, 4, 5
	285	1, 2, 3, 4
	286	1, 2
	287	1, 2, 3, 4
	288	1, 2, 3.01, 3.02, 4, 5, 6, 7
	289	12
	1000	1

Section 2:

Article III Definitions and Word Usage shall be modified to include the definitions for the six (6) marketplace classes of licensed cannabis establishments as follows:

CANNABIS MARKETPLACE CLASSES

Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis, consistent with current State law;

Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items, consistent with current State law;

Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees, consistent with current State law;

Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another, consistent with current State law;

Class 5 Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers, consistent with current State law; and

Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer, consistent with current State law;

Section 3:

Article IX. C1 Central Business District is hereby modified to allow conditional uses related to cannabis establishments.

The following is added:

Section 224-44. Permitted Uses.

C. Conditional uses. The following conditional uses may be authorized by the Planning Board, provided that applications conform to the specified conditions and controls.

(1) Class 5 Cannabis Retailer and Class 6 Cannabis Delivery, subject to the following conditions and controls:

(a) The proposed use must be located within a designated area on the Cannabis Class Location Map – Attachment 5.

(b) The required Municipal Cannabis License(s) must be obtained from the City of Absecon.

Article XII. HC Highway Commercial District is hereby modified to allow conditional uses related to the cannabis industry.

The following is added:

Section 224-68. Permitted Uses.

C. Conditional uses. The following conditional uses may be authorized by the Planning Board, provided that applications conform to the specified conditions and controls.

(3) Class 5 Cannabis Retailer and Class 6 Cannabis Delivery, subject to the following conditions and controls:

(a) The proposed use must be located within a designated area on the Cannabis Class Location Map – Attachment 5.

(b) The required Municipal Cannabis License(s) must be obtained from the City of Absecon.

Article XIII. DC Design Commercial District is hereby modified to allow conditional uses related to the cannabis industry.

The following is added:

Section 224-74. Permitted Uses.

C. Conditional uses. The following conditional uses may be authorized by the Planning Board, provided that applications conform to the specified conditions and controls.

(1) Class 5 Cannabis Retailer and Class 6 Cannabis Delivery, subject to the following conditions and controls:

(a) The proposed use must be located within a designated area on the Cannabis Class Location Map – Attachment 5.

(b) The required Municipal Cannabis License(s) must be obtained from the City of Absecon.

Article XIV. HD Highway Development District is hereby modified to allow conditional uses related to the cannabis industry.

The following is added:

Section 224-83. Permitted Uses.

C. Conditional uses. The following conditional uses may be authorized by the Planning Board, provided that applications conform to the specified conditions and controls.

(1) Class 1 Cannabis Cultivator, Class 2 Cannabis Manufacturer, Class 3 Cannabis Wholesaler, Class 4 Cannabis Distributor, Class 5 Cannabis Retailer and Class 6 Cannabis Delivery, subject to the following conditions and controls:

(a) The proposed use must be located within a designated area on the Cannabis Class Location Map – Attachment 5.

(b) The required Municipal Cannabis License(s) must be obtained from the City of Absecon.

Article XV. I/PI Industrial/Planned Industrial Area is hereby modified to allow conditional uses related to the cannabis industry.

The following is added:

Section 224-90. Permitted Uses.

C. Conditional uses. The following conditional uses may be authorized by the Planning Board, provided that applications conform to the specified conditions and controls.

(1) Class 1 Cannabis Cultivator, Class 2 Cannabis Manufacturer, Class 3 Cannabis Wholesaler, Class 4 Cannabis Distributor and Class 6 Cannabis Delivery, subject to the following conditions and controls:

(a) The proposed use must be located within a designated area on the Cannabis Class Location Map – Attachment 5.

(b) The required Municipal Cannabis License(s) must be obtained from the City of Absecon.

Article XVIII Regulations Applicable to All Zoning Districts is hereby modified to prohibit on-premises consumption of cannabis in connection with any licensed cannabis establishment.

The following is added:

Section 224-107 Prohibited uses in all districts; vehicle storage restrictions.

A. The following uses are prohibited in all districts:

- (15) On-premises consumption of cannabis in connection with any licensed cannabis establishment.

Section 4:

Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

Section 5:

Pursuant to N.J.S.A. 40:55D- 62.1, notice of scheduled the hearing date and this Ordinance shall be given at least ten (10) days prior to the hearing by the Municipal Clerk by either personal service or certified mail and regular mail to the owners of all real property as shown on the current tax duplicates, located, in the case of a classification change, within the district and within the State within two hundred feet (200') in all directions of the boundaries of the district, and located in the case of a boundary change, in the State within two hundred feet (200') in all directions of the proposed new boundaries of the district.

Section 6:

This Ordinance shall take effect upon final passage and publication as provided by law, however, subsequent to first reading, this Ordinance must be referred to the Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.

BE IT FURTHER ORDAINED that:

1. Any Ordinance or parts of ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of any such inconsistency.
2. This Ordinance shall take effect upon final adoption and publication as required by law.

DATED: July 15th, 2021

SIGNED: _____
Kimberly Horton, Mayor

ATTEST: _____
Carie A. Crone, RMC Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on June 17th, 2021.
Laid over and advertised for public hearing and final adoption on July 15th, 2021.

CITY OF ABSECON

ORDINANCE 11-2021

**AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN
FOR THE BLOCK 203 REDEVELOPMENT AREA**

WHEREAS, On February 22, 2021, Governor Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization 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 establishments, use and possession; and,

WHEREAS, the Act establishes six (6) marketplace classes of licensed cannabis businesses; and,

WHEREAS, the City of Absecon is seeking to establish regulations regarding cannabis establishments in the Municipality; and,

WHEREAS, the City's Redevelopment Plan for the Block 203 Redevelopment Area must be amended to establish regulations for the various classes of cannabis establishments; and,

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Absecon that the Redevelopment Plan for the Block 203 Redevelopment Area be amended as follows:

Section 1:

The Cannabis Class Location Map is hereby incorporated into the Redevelopment Plan for the Block 203 Redevelopment Area as Exhibit 2 and shall delineate the areas within the City of Absecon where specific classes of cannabis establishments are permitted as conditional uses. This amendment shall be enacted in accordance with the attached map.

The specific lots and blocks to be affected at the time of this amendment are as follows:

Proposed Permitted Marketplace Classes	Existing Zoning	Block	Lots
Class 5: Retailer Class 6: Delivery	RA2	203	1.01, 1.02

Section 2:

Section 2.0 Definitions shall be modified to include the definitions for the six (6) marketplace classes of licensed cannabis establishments as follows:

CANNABIS MARKETPLACE CLASSES

Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis, consistent with current State law;

Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items, consistent with current State law;

Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees, consistent with current State law;

Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another, consistent with current State law;

Class 5 Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers, consistent with current State law; and

Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer, consistent with current State law;

Section 3:

Section 7.0 Land Use Plan is hereby modified to allow conditional uses related to cannabis establishments.

The following is added:

The following conditional uses may be authorized by the Planning Board, provided that applications conform to the specified conditions and controls.

(1) Class 5 Cannabis Retailer and Class 6 Cannabis Delivery, subject to the following conditions and controls:

(a) The proposed use must be located within a designated area on the Cannabis Class Location Map – Exhibit 2.

(b) The required Municipal Cannabis License(s) must be obtained from the City of Absecon.

(c) On-premises consumption of cannabis is prohibited.

Section 4:

Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

Section 5:

Pursuant to N.J.S.A. 40:55D- 62.1, notice of scheduled the hearing date and this Ordinance shall be given at least ten (10) days prior to the hearing by the Municipal Clerk by either personal service or certified mail and regular mail to the owners of all real property as shown on the current tax duplicates, located, in the case of a classification change, within the district and within the State within two hundred feet (200') in all directions of the boundaries of the district, and located in the case of a boundary change, in the State within two hundred feet (200') in all directions of the proposed new boundaries of the district.

Section 6:

This Ordinance shall take effect upon final passage and publication as provided by law, however, subsequent to first reading, this Ordinance must be referred to the Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.

BE IT FURTHER ORDAINED that:

1. Any Ordinance or parts of ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of any such inconsistency.
2. This Ordinance shall take effect upon final adoption and publication as required by law.

DATED: July 15th, 2021

SIGNED: _____
Kimberly Horton, Mayor

ATTEST: _____
Carie A. Crone, RMC Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on June 17th, 2021.
Laid over and advertised for public hearing and final adoption on July 15th, 2021.

CITY OF ABSECON

ORDINANCE 12-2021

**AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR
REDEVELOPMENT AREA 1: CENTRAL BUSINESS DISTRICT
REDEVELOPMENT AREA (CBD REDEVELOPMENT AREA)**

WHEREAS, On February 22, 2021, Governor Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization 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 establishments, use and possession; and,

WHEREAS, the Act establishes six (6) marketplace classes of licensed cannabis businesses; and,

WHEREAS, the City of Absecon is seeking to establish regulations regarding cannabis establishments in the Municipality; and,

WHEREAS, the City's Redevelopment Plan for Redevelopment Area 1: CBD Redevelopment Area must be amended to establish regulations for the various classes of cannabis establishments; and,

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Absecon that the Redevelopment Plan for Redevelopment Area 1: CBD Redevelopment Area be amended as follows:

Section 1:

The Cannabis Class Location Map is hereby incorporated into the Redevelopment Plan for Redevelopment Area 1: CBD Redevelopment Area as Exhibit 12.13 and shall delineate the areas within the City of Absecon where specific classes of cannabis establishments are permitted as conditional uses. This amendment shall be enacted in accordance with the attached map.

The specific lots and blocks to be affected at the time of this amendment are as follows:

Proposed Permitted Marketplace Classes	Existing Zoning	Block	Lots
Class 5: Retailer Class 6: Delivery	RA1	160	8

Section 2:

Section 3.0 Definitions shall be modified to include the definitions for the six (6) marketplace classes of licensed cannabis establishments as follows:

CANNABIS MARKETPLACE CLASSES

Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis, consistent with current State law;

Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items, consistent with current State law;

Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees, consistent with current State law;

Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another, consistent with current State law;

Class 5 Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers, consistent with current State law; and

Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer, consistent with current State law;

Section 3:

Section 6.2 Land Use Plan is hereby modified to allow conditional uses related to cannabis establishments.

The following is added:

The following conditional uses may be authorized by the Planning Board, provided that applications conform to the specified conditions and controls.

(1) Class 5 Cannabis Retailer and Class 6 Cannabis Delivery, subject to the following conditions and controls:

(a) The proposed use must be located within a designated area on the Cannabis Class Location Map – Exhibit 12.13.

(b) The required Municipal Cannabis License(s) must be obtained from the City of Absecon.

(c) On-premises consumption of cannabis is prohibited.

Section 4:

Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

Section 5:

Pursuant to N.J.S.A. 40:55D- 62.1, notice of scheduled the hearing date and this Ordinance shall be given at least ten (10) days prior to the hearing by the Municipal Clerk by either personal service or certified mail and regular mail to the owners of all real property as shown on the current tax duplicates, located, in the case of a classification change, within the district and within the State within two hundred feet (200') in all directions of the boundaries of the district, and located in the case of a boundary change, in the State within two hundred feet (200') in all directions of the proposed new boundaries of the district.

Section 6:

This Ordinance shall take effect upon final passage and publication as provided by law, however, subsequent to first reading, this Ordinance must be referred to the Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.

BE IT FURTHER ORDAINED that:

1. Any Ordinance or parts of ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of any such inconsistency.
2. This Ordinance shall take effect upon final adoption and publication as required by law.

DATED: July 15th, 2021.

SIGNED: _____
Kimberly Horton, Mayor

ATTEST: _____
Carie A. Crone, RMC Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on June 17th, 2021.
Laid over and advertised for public hearing and final adoption on July 15th, 2021.

CITY OF ABSECON

RESOLUTION 108-2021

**A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES FOR
THE 3RD AND 4TH QUARTER OF 2020 AND 1ST AND 2ND QUARTER OF 2021 ON
THE PROPERTY LOCATED AT BLOCK 4, LOT 8.01 (VERMONT AVENUE)**

WHEREAS, the Tax Collector, by letter attached, has notified City Council of a need to cancel taxes for the 3rd and 4th quarter of 2020 and the 1st and 2nd quarter of 2021, for the property located at Block 4, Lot 8.01.

WHEREAS, the property is now owned by the City and is tax exempt.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that:

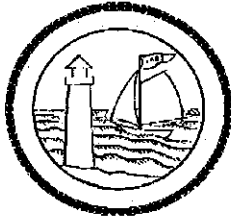
1. 3rd and 4th quarter of 2020 and 1st and 2nd quarter of 2021 taxes for the property located at Block 4, Lot 8.01 (Vermont Avenue) are hereby cancelled.
2. This Resolution shall take effect immediately.

Dated: July 15th, 2021

**This is to certify that this is a true
copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular Meeting held July 15th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON
Municipal Complex
500 Mill Rd.
ABSECON, NJ 08201



Absecon Absolutely!

Jessica A. Snyder, CTC
Tax Collector

Phone (609) 641-0663 ext. 116
Fax (609) 645-5098

July 6, 2015

Mayor & City Council
500 Mill Road
Absecon, NJ 08201

Dear Members of City Council,

Please have a resolution drawn up to cancel Property Taxes for the 3rd and 4th Quarters of 2020, 1st and 2nd Quarters of 2021 and any future taxes for the property listed below. This property is now owned by the City and is tax exempt.

Block	Lot	Property Location
4	8.01	VERMONT AVE

Sincerely,

Jessica A. Snyder, CTC
Tax Collector

CITY OF ABSECON
RESOLUTION 109-2021

**A RESOLUTION AUTHORIZING THE RELEASE OF PLANNING
BOARD ESCROW FEES POSTED BY TIM ROBB**

WHEREAS, Tim Robb had posted Planning Board escrows for approvals on property known as Block 159, Lot 2, 122 New Jersey Avenue in the City of Absecon in accordance with the provisions of the Municipal Land Use law; and

WHEREAS, the Planning Board has indicated that the applicant has decided to withdraw their application and the escrow may be released.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Absecon as follows:

1. The Chief Financial Officer is hereby authorized to release the remaining Planning Escrow in the amount of \$303.75.

Dated: July 15, 2021

**This is to certify that this is a true
copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular Meeting held July 15, 2021.**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON
RESOLUTION 110-2020

**A RESOLUTION AUTHORIZING A REFUND OF
MERCANTILE FEE FOR GEIGER LIMOUSINE**

WHEREAS, the City Clerk, has notified City Council of a need to refund a Mercantile License fee in the amount of \$75.00, to Geiger Limousine.

WHEREAS, payment was received for renewal of the Mercantile License for Geiger Limousine located at 502 W. California Avenue.

WHEREAS, the business is no longer being carried on out of 502 W. California Avenue, as per City Code, and therefore the renewal should not have been issued.

WHEREAS, Mercantile License #21-0143 issued to Geiger Limousine is voided.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that:

1. The Chief Financial Officer be authorized and directed to refund the amount of \$75.00 to Geiger Limousine, 130 N. Florida Avenue, Atlantic City, NJ 08401.
2. This Resolution shall take effect immediately.

Dated: July 15th, 2021

**This is to certify that this is a true
Copy of a Resolution adopted by the
Council of the City of Absecon at a
regular meeting held July 15th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

RESOLUTION 111-2021

**A RESOLUTION ACCEPTING A VOLUNTEER FIREFIGHTER
INTO THE ABSECON CITY FIRE DEPARTMENT**

WHEREAS, there is a need for volunteer firefighters in the Absecon City Fire Department; and

WHEREAS, volunteer firefighters shall serve a probation period of one year; and

WHEREAS, these firefighters must successfully complete Firefighter 1 training.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Absecon to accept the recommendation of Fire Chief Talley to admit:

Joseph Kelly, Jr. – 509 S. Shoe Road, Absecon

into the Absecon City Fire Department to serve on probation for one year till he has successfully completed Firefighter 1 training.

Dated: July 15th, 2021

**This is to certify that this is a true
Copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular meeting held July 15th, 2021**

ATTEST: _____
Carie A Crone, RMC, Municipal Clerk

CITY OF ABSECON

RESOLUTION 112-2021

**A RESOLUTION OF THE CITY OF ABSECON PERMITTING A
CHARITABLE ORGANIZATION TO SOLICIT FUNDS, NAMELY
THE ABSECON 9-11 MEMORIAL FOUNDERS COMMITTEE INC.**

WHEREAS, the above-mentioned charitable organization meets the definition as defined by N.J.S.A.45: 17A-20 and has made application for a permit to solicit funds on roadways situated in the City of Absecon on Saturday, August 21st and Sunday, August 22nd, 2021 between the hours of 9:00 am and 3:00 pm (Rain Dates, Saturday, August 28th and Sunday, August 29th, 2021), has met the requirements as specified in the City of Absecon Ordinance 8 of 1998; and

WHEREAS, the application as filed with the Municipal Clerk by the organization, Absecon 9-11 Memorial Founders Committee, Inc. has been reviewed and the information on it found satisfactory by the Absecon Police Department.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Absecon as follows:

1. Permission is granted based upon conditions set forth in the applicant's application for the Absecon 9-11 Memorial Founders Committee, Inc. to conduct a coin drop on Saturday, August 21st and Sunday, August 22nd, 2021, (Rain Dates, Saturday, August 28th and Sunday, August 29th, 2021) between the hours of 9:00 am and 3:00 pm at the intersection of Mill Road and New Jersey Avenue in the City of Absecon.

Dated: July 15th, 2021

**This is to certify that this is a true
Copy of a Resolution adopted by the
Council of the City of Absecon at a
regular meeting held July 15th, 2021.**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

RESOLUTION 113-2021

**A RESOLUTION RENEWING ALCOHOLIC BEVERAGE
LICENSES WITHIN THE CITY OF ABSECON**

WHEREAS, the following Alcoholic Beverage Licensees have made their application for the renewal of their respective licenses for the year 2021-2022:

0101-44-001-008	White Horse Liquors, LLC - (609) 677-9880 684 White Horse Pike
0101-33-003-004	TWJJ, LLC t/a T.J.'s Hi Point Pub - (609) 641-3172 5 North Shore Road
0101-33-005-003	Rose-An Corporation t/a The Black Cat - (609) 641-2323 1 North Shore Road
0101-31-006-001	Charles A. Hammell Post # 28 (American Legion) 560 New Jersey Ave. - (609) 641-9722
0101-31-007-001	Absecon Memorial Post 9462 - (609) 641-8884 Veterans of Foreign Wars, Inc. White Horse Pike (Route #30)
0101-33-004-008	Operation Trefigli, LLC – (609) 641-2000 t/a Villa Rifici 308 E. White Horse Pike

WHEREAS, there are no written objections to the renewal on file; and

WHEREAS, the City of Absecon Mayor and Council have no objection to the 2020-2021 renewals of said licenses and are not aware of any circumstances or provisions of law or local Ordinance that would prohibit the issuance of said licenses.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Absecon, that the City Clerk is hereby authorized to issue and deliver said licenses, all of which to become effective July 1st, 2021.

Dated: July 15th, 2021

**This is to certify that this is a true
Copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular meeting held July 15th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

RESOLUTION 114-2021

**A RESOLUTION AUTHORIZING A SHARED SERVICES
AGREEMENT WITH THE TOWNSHIP OF GALLOWAY
FOR DISPATCH SERVICES**

WHEREAS, the "Uniform Shared Services and Consolidation Act," N.J.S.A. 40A:65-1 et seq. ("Act"), allows any local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, N.J.S.A. 40A:65-5 requires the adoption of a resolution by the local units in order to authorize the execution of a shared services agreement; and

WHEREAS, the City of Absecon ("Absecon") and the Township of Galloway ("Galloway") have determined it to be in the mutual interest of each governing body to share dispatch services; and

WHEREAS, Absecon wishes to enter into a shared services agreement ("SSA") with Galloway for the purpose of setting forth the terms, conditions, and obligations of each party regarding dispatch services, which will benefit both Absecon and Galloway, by increasing the efficiency and decreasing the costs of those services; and

WHEREAS, the Council of the City of Absecon has reviewed said shared services agreement and finds the same to be well-negotiated and acceptable in its terms and conditions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that the Mayor is authorized to execute the Shared Services Agreement with the Township of Galloway.

BE IT FURTHER RESOLVED that a copy of the SSA shall be filed with the Division of Local Government Services, Department of Community Affairs, in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-4(b). The SSA shall take effect upon the adoption of appropriate resolutions by both parties thereto, and execution of agreements authorized thereunder, N.J.S.A. 40A:65-5(c).

Dated: July 15, 2021

**This is to certify that this is a true
Copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular meeting held July 15th, 2021**

**ATTEST : _____
Carie A. Crone, RMC, Municipal Clerk**

July 13, 2021
02:50 PM

City of Absecon
Bill List By Vendor Id

Page No: 1

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
Range: First to Last Rcvd: Y Held: Y Aprv: N
Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
9723	CALIBRE PRESS								
	21-00358	04/22/21	TRAINING	Open	129.00	0.00			
9751	AFTERMATH SERVICES LLC								
	21-00576	06/21/21	PROFESSIONAL SERVICES	Open	560.00	0.00			
9772	CROWN TROPHY								
	21-00443	05/13/21	BENCH PLAQUE WAECHTER FAMILY	Open	292.00	0.00			
	21-00455	05/14/21	PLAQUE FOR BILL STEINER	Open	292.00	0.00			
					584.00				
9800	SANDY CAIN								
	21-00639	07/12/21	REIMBURSEMENT	Open	88.08	0.00			
9847	HD SUPPLY								
	21-00614	07/06/21	SUPPLIES	Open	388.72	0.00			
A0003	ACUA								
	21-00622	07/07/21	TIPPING/RECYCLING/FUEL	Open	63,778.16	0.00			
A0009	ANIMAL CONTROL OF S.J.								
	21-00621	07/07/21	JUNE 2021 SERVICES	Open	700.00	0.00			
A0023	A & M CLEANING SERVICE								
	21-00539	06/10/21	STRIP & SEAL ALL FLOORS	Open	2,800.00	0.00			
A0034	ABSECON CITY PAYROLL ACCOUNT								
	21-00580	06/24/21	PAYROLL 06/24/21	Open	180,238.24	0.00			
	21-00629	07/09/21	PAYROLL 07/08/21	Open	201,528.28	0.00			
					381,766.52				
A0198	ATLANTIC COUNTY CLERK								
	21-00591	06/28/21	DEED RECORDING FEE	Open	8.00	0.00			
A0209	ADVANCE AUTO PARTS								
	21-00636	07/12/21	SUPPLIES	Open	66.18	0.00			
A0233	A & P PRINTING								
	21-00565	06/15/21	TRAFFIC TICKET & SUMMONS BOOKS	Open	834.00	0.00			
A0253	ATLANTIC CITY ELECTRIC								
	21-00592	06/28/21	JUNE 2021 BILLING	Open	25,913.05	0.00			
A0258	CHARLES AUCHTER EXCAVATING INC								
	21-00569	06/17/21	DYED MULCH	Open	171.00	0.00			
B0109	BATTERIES PLUS BULBS								
	21-00309	04/06/21	PORTABLE LIGHT BATTERY	Open	67.95	0.00			

July 13, 2021
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City of Absecon
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
B0119 BLANEY & KARAVAN, PC	21-00611	07/06/21	PROFESSIONAL SERVICES	Open	4,485.00	0.00		
B0123 AMBER BEAUCHEMIN	21-00367	04/23/21	REPAINT 2 SIGNS	Open	530.41	0.00		
C0044 CARDMEMBER SERVICE	21-00641	07/13/21	SUPPLIES	Open	1,533.67	0.00		
C0150 CONSTELLATION NEW ENERGY, INC.	21-00603	07/02/21	MONTHLY BILLING	Open	2,053.33	0.00		
C0170 COLONY HARDWARE/CL PRESSER	21-00533	06/08/21	NYLON SLINGS	Open	74.14	0.00		
C0180 CASA PAYROLL SERVICES	21-00584	06/25/21	PAYROLL SERVICES	Open	450.50	0.00		
C0201 COMCAST	21-00568	06/17/21	MONTHLY BILLING	Open	1,202.87	0.00		
	21-00610	07/06/21	MONTHLY BILLING	Open	<u>15.02</u>	0.00		
					1,217.89			
C0208 CME ASSOCIATES	21-00620	07/07/21	PROFESSIONAL SERVICES	Open	314.00	0.00		
C0214 COASTAL CLOCK & CHIME	21-00094	02/02/21	MAINTENANCE AGREEMENT	Open	793.94	0.00		
D0052 DEPOSITORY TRUST	21-00577	06/22/21	BOND PRINCIPAL/INT. 7/15/21	Open	423,221.89	0.00		
D0054 DRAEGER, INC.	21-00617	07/06/21	CERT SOLUTION	Open	120.00	0.00		
E0070 ED & GENE'S KING TIRE LLC	21-00566	06/17/21	VEHICLE MAINTENANCE	Open	449.53	0.00		
F0027 FRIENDLY DELI	21-00590	06/28/21	HOOKE ON FISHING	Open	1,101.14	0.00		
F0042 FEDEX	21-00600	07/02/21	SHIPMENT TO R.WAREHAM	Open	42.11	0.00		
F0047 FIRST CALL FIRE PREVENTION LLC	21-00633	07/09/21	FIRE EXTINGUISHER MAINTENANCE	Open	249.50	0.00		
F0077 FIRE & SAFETY SERVICES LTD	21-00424	05/07/21	PIERCE FIRE APPARATUS	Open	897,703.56	0.00		
F0093 KRISTOPHER J. FACENDA	21-00572	06/21/21	JUNE 2021 PROSECUTOR	Open	2,400.00	0.00		

July 13, 2021
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City of Absecon
Bill List By Vendor Id

Page No: 3

Vendor # Name		PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
G0018	GALLOWAY NURSERY								
	21-00553 06/14/21 SUPPLIES				Open	136.50	0.00		
G0041	GALLOWAY ACE HARDWARE								
	21-00604 07/02/21 SUPPLIES - FIRE DEPT 426521				Open	115.80	0.00		
G0061	GRIMLEY LAW								
	21-00619 07/07/21 PROFESSIONAL SERVICES				Open	1,200.00	0.00		
G0093	GREEN TREES LANDSCAPE								
	21-00583 06/25/21 TERRACE WALL STRETCHERS				Open	1,227.00	0.00		
G0108	GOODYEAR AUTO SERVICE CENTER								
	21-00575 06/21/21 TIRES				Open	540.08	0.00		
H0066	THE HOME DEPOT CREDIT SERVICE								
	21-00589 06/25/21 SUPPLIES				Open	86.75	0.00		
H0083	HORIZON BLUE CROSS								
	21-00574 06/21/21 JULY 2021 DENTAL INSURANCE				Open	4,280.84	0.00		
I0031	IDEMIA IDENTITY & SECURITY USA								
	21-00401 05/03/21 LIVE SCAN MAINT. & SUPPORT				Open	3,508.64	0.00		
J0013	JOE & JOHN'S PIZZA								
	21-00618 07/07/21 PIZZA FOR MOVIE NIGHT 7/9/21				Open	50.00	0.00		
L0086	TELESYSTEM								
	21-00637 07/12/21 JULY 2021 BILLING				Open	2,736.05	0.00		
M0005	JP MONZO MUNICIPAL CONSULTING								
	21-00564 06/15/21 WEBINAR 06/21/21				Open	50.00	0.00		
M0009	MUNICIPAL CLERKS ASSOC. OF NJ								
	21-00630 07/09/21 MEMBERSHIP DUES				Open	100.00	0.00		
M0122	WILLIAM H. MARSDEN								
	21-00602 07/02/21 ELECTRICAL SUBCODE				Open	320.00	0.00		
M0193	MASER CONSULTING P.A.								
	21-00634 07/09/21 PROFESSIONAL SERVICES				Open	810.00	0.00		
N0002	NJ AMERICAN WATER CO.								
	21-00638 07/12/21 JUNE 2021 HYDRANTS & WATER				Open	10,291.08	0.00		
N0003	STATE OF NJ HEALTH BENEFITS PR								
	21-00595 07/01/21 MAY 2021 HEALTH INSURANCE				Open	82,388.18	0.00		
N0091	NETWORK CONNECTIVITY, INC.								
	21-00597 07/01/21 AUGUST 2021 MAINTENANCE				Open	3,535.74	0.00		
N0106	THAO T. NGUYEN								
	21-00593 06/28/21 RELEASE SECURITY DEPOSIT				Open	500.00	0.00		

July 13, 2021
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City of Absecon
Bill List By Vendor Id

Page No: 4

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00036 OMEGA HIGH IMPACT								
	21-00563	06/15/21	DONATION BOXES	Open	335.90	0.00		
	21-00598	07/02/21	3 LAWN SIGNS	Open	<u>125.25</u>	0.00		
					461.15			
P0001 THE PRESS								
	21-00625	07/07/21	LEGAL ADS	Open	40.80	0.00		
P0011 CITY OF PLEASANTVILLE								
	21-00578	06/22/21	JAN THRU MAY 2021 SEWER MAINT.	Open	17,859.90	0.00		
P0117 PROFORMA								
	21-00615	07/06/21	HOOKE ON FISHING T-SHIRTS	Open	503.60	0.00		
R0007 REMINGTON & VERNICK ENGINEERS								
	20-01142	12/15/20	2021 ROAD PROGRAM	Open	1,000.00	0.00		B
	21-00318	04/08/21	NEW YORK AVE SUBDIVISION	Open	6,500.00	0.00		B
	21-00586	06/25/21	2021 ROAD PROGRAM	Open	2,500.00	0.00		B
	21-00640	07/13/21	PROFESSIONAL SERVICES	Open	<u>12,772.71</u>	0.00		
					22,772.71			
S0019 SOUTH JERSEY GAS CO.								
	21-00596	07/01/21	MONTHLY BILLING	Open	186.48	0.00		
S0168 MARK H. STEIN, ESQ.								
	21-00573	06/21/21	JUNE 2021 PUBLIC DEFENDER	Open	600.00	0.00		
S0172 SCHOPPY'S SINCE 1921								
	21-00571	06/21/21	PLAQUE	Open	61.85	0.00		
S0189 STATE TOXICOLOGY LABORATORY								
	21-00616	07/06/21	RANDOM TESTING	Open	180.00	0.00		
S0243 S. BATATA CONSTRUCTION, INC.								
	20-00667	07/30/20	PITNEY RD PEDESTRIAN SAFETY	Open	47,053.45	0.00		B
S0250 SWANK MOTION PICTURES, INC.								
	21-00356	04/22/21	EVENT LICENSE	Open	480.00	0.00		
T0011 TELECOM GIANT								
	21-00149	02/18/21	FIBER CONNECTION	Open	8,369.41	0.00		
	21-00298	03/30/21	FIREHOUSE PHONE LINES	Open	<u>3,662.84</u>	0.00		
					12,032.25			
T0044 TREASURER								
	21-00585	06/25/21	MAY 2021 DOG REPORT	Open	7.20	0.00		
	21-00599	07/02/21	STORMWATER DISCHARGE PERMIT	Open	450.00	0.00		
	21-00623	07/07/21	TIDELANDS LICENSE FAUNCE LDNG	Open	<u>100.00</u>	0.00		
					557.20			
T0092 TOSHIBA BUSINESS SOLUTIONS,USA								
	21-00612	07/06/21	COPIER COUNTER & MAINTENANCE	Open	726.53	0.00		

July 13, 2021
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City of Absecon
Bill List By Vendor Id

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Vendor # Name		PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PO #								
T0096	TOSHIBA FINANCIAL SERVICES							
21-00587	06/25/21 COPIER LEASE			Open	337.00	0.00		
21-00635	07/12/21 COPIER LEASE			Open	<u>102.48</u>	0.00		
					439.48			
T0105	TELVUE CORP.							
21-00626	07/08/21 WEBUS SUPPORT 7/1/21-9/30/21			Open	600.00	0.00		
U0021	UNITED METHODIST CHURCH							
21-00567	06/17/21 MAY 2021 SENIOR SERVICES			Open	1,807.86	0.00		
V0001	VITAL COMMUNICATIONS INC							
21-00632	07/09/21 JUNE & JULY MOD IV			Open	630.00	0.00		
V0012	VISION SERVICE PLAN (EA)							
21-00588	06/25/21 JULY 2021 VISION PLAN			Open	255.92	0.00		
21-00613	07/06/21 JUNE 2021 CLAIMS			Open	<u>315.70</u>	0.00		
					571.62			
V0022	VERIZON							
21-00582	06/25/21 MONTHLY BILLING			Open	148.91	0.00		
<hr/>								
Total Purchase Orders:	82	Total P.O. Line Items:	0	Total List Amount:	2,034,185.72	Total Void Amount:		0.00

CITY OF ABSECON CITY
CONSTRUCTION OFFICE CODE ENFORCEMENT
MONTHLY REPORT

JUNE 2021

	Month		Year to Date	
	# Permits	Fees	# Permits	Fees
Building Permits	11	\$ 2,203.00	63	\$ 18,621.00
Electrical Permits	18	\$ 2,080.00	102	\$ 17,142.00
Elevator Permits			0	\$ -
Fire Permits	1	\$ 100.00	20	\$ 2,727.00
Plumbing Permits	3	\$ 195.00	21	\$ 3,227.00
Mechanical Permits	7	\$ 630.00	58	\$ 5,760.00
Certificates of Occupancy	1	\$ 150.00	8	\$ 900.00
DCA Fees	28	\$ 355.00	149	\$ 2,927.00
Contractor Licenses			3	\$ 75.00
Zoning Permits	4	\$ 185.00	38	\$ 1,555.00
CCO Resales	19	\$ 1,425.00	115	\$ 8,585.00
Commercial CCO, Rental			6	\$ 825.00
Rental Inspections	6	\$ 600.00	64	\$ 4,750.00
Certificates of Compliance			0	\$ -
Misc.			0	\$ -
Penalty			0	\$ -
Admin Fees			1	\$ 95.00

Total Fees	\$ 7,923.00	67,052.00
Total Paid Out	\$ 355.00	2,927.00
Total Net Fees	\$ 7,568.00	64,125.00
Total Construction Cost	\$ 179,387.80	3,849,828.96

Respectfully Submitted:



Kimberly Kollman / Technical Assistant

July 8, 2021
09:58 AM

City of Absecon
Cash Receipts Totals from 06/01/21 to 06/30/21

Page No: 1

Range: Block: First to Last Range of Util Accounts: First to Last
 Lot:
 Qual:
 Range of Codes: 001 to 052 Range of Years: First to 2022 Range of Periods: 1 to 12
 Range of Batch Ids: First to Last Range of Dates: 06/01/21 to 06/30/21
 Range of Sections: First to Last Name to Print: Bill To
 Range of Spec Tax Codes: First to Last Print Ref Num: N Print Utility w/Block/Lot/Qual: N
 Payment Type Includes: Tax: Y Sp Charges: Y Lien: Y Sp Assmnt: Y Sewer: Y
 Voucher Agency: Y Animal: N Misc: Y
 Payment Method Includes: Cash: Y Check: Y Credit: Y Voucher: N
 Range of Installment Due Dates: First to Last
 Print Miscellaneous w/Block/Lot/Qual: N Print Only Miscellaneous w/Block/Lot/Qual: N

Code Description	Count	----- Principal -----		2020	2021	2022	Pnlty/Intr	Total
		Arrears/Other						
001 Property Taxes	161	0.00		0.00	161,307.97	0.00	2,122.60	163,430.57
038 Taxes - Subsequent	14	0.00		0.00	28,226.05	0.00	1,232.74	29,458.79
Tax Payments	175	0.00		0.00	189,534.02	0.00	3,355.34	192,889.36
035 OUTSIDE LIEN REDEMP	19	17,691.48		0.00	0.00	0.00	2,210.51	19,901.99
036 OUTSIDE LIEN FEES	2	124.00		0.00	0.00	0.00	0.00	124.00
Lien Payments	21	17,815.48		0.00	0.00	0.00	2,210.51	20,025.99
002 Sewer Rental	719	124.00		0.00	78,708.89	0.00	275.00	79,107.89
037 Sewer - Subsequent	6	0.00		0.00	594.00	0.00	30.00	624.00
Sewer Payments	725	124.00		0.00	79,302.89	0.00	305.00	79,731.89
028 DUPL.REDEMPTION CERT	2	50.00		0.00	0.00	0.00	0.00	50.00
Misc Payments	2	50.00		0.00	0.00	0.00	0.00	50.00
Payments Total:	923	17,989.48		0.00	268,836.91	0.00	5,870.85	292,697.24
Cash O/S Total:	0	0.00		0.00	0.00	0.00	0.00	0.00
NSF Reversals Total:	0	0.00		0.00	0.00	0.00	0.00	0.00
Total:	923	17,989.48		0.00	268,836.91	0.00	5,870.85	292,697.24

Total Cash: 10,871.87

Total Check: 272,557.78

Total Credit: 9,267.59

Sewer Overpayments 124.00
 Total Overpayments 124.00

NJ AUTOMATED MUNICIPAL SYSTEM
MONTHLY CASHBOOK REPORT
ABSECON MUNICIPAL COURT
FOR THE MONTH OF JUNE 2021

REPORT ID : TFC5337
RUN DATE : 07/03/2021
RUN TIME : 18:06

PART 4 - DISBURSEMENT CHECKS

MAKE CHECK PAYABLE TO:	CHECK AMOUNT	ADDRESS	CHECK NUMBER	CROSS-REF W/BANKSTMT
2 - TREASURER, STATE OF NEW JERSEY RE: AUTOMATION FEE - AF ATS MODERNIZATION FUND - AM	\$206.00 \$309.00	AOC ATS SURCHARGE SECTION P.O. BOX 980 TRENTON, NJ 08625	DO NOT SEND CHECK- SENT VIA ACH	
TOTAL ATS SURCHARGES	\$515.00			
3 - TREASURER, COUNTY OF <u>Atlantic</u> RE: TITLE 39 SPLIT & VIDEO SURCHARGE (VY)	\$3,140.70	COUNTY TREASURER	1672	
4 - TREASURER, CITY OF <u>Absecon</u> RE: TITLE 39 SPLIT, CRIMINAL FINES, COSTS, LOCAL PARKING, CONTEMPT, CRIMINAL BAIL FORFEITURE, ADDITIONAL PENALTIES, GENERAL FEES, UNREFUNDED OVERPAYMENTS, PUBLIC DEFENDER, PLAINTIFF COSTS, SPINAL MUNICIPAL, DWI SURCHARGE, UC CODE, VIDEO SURCHARGE (VM) & SANCTIONS	\$7,560.23	CITY OF <u>Absecon</u>	1673	
5 - TREASURER, CITY OF RE: PARKING OFFENSES ADJUDICATION ACT (\$2.00 FTA FEE - PA)	\$.00	CITY OF		
6 - TREASURER, STATE OF NEW JERSEY RE: VCCB, VAF, CF	\$250.00	VICTIMS OF CRIME COMPENSATION BOARD P.O. BOX 34090 NEWARK, NJ 07189-0090	DO NOT SEND CHECK- SENT VIA ACH	
7 - TREASURER, STATE OF NEW JERSEY RE: DEDR	\$.00	GOVERNOR'S COUNCIL ON ALCOHOLISM/ DRUG ABUSE P.O. BOX 345 TRENTON, NJ 08625	DO NOT SEND CHECK- SENT VIA ACH	
8 - TREASURER, STATE OF NEW JERSEY RE: STATE LAB FEES - FILF (SL)	\$.00	GOVERNOR'S COUNCIL ON ALCOHOLISM/ DRUG ABUSE P.O. BOX 345 TRENTON, NJ 08625	DO NOT SEND CHECK- SENT VIA ACH	
9 - TREASURER, COUNTY OF RE: COUNTY LAB FEES - (CL)	\$.00	N/A		