

CITY OF EAST ORANGE
BOARD OF CANNABIS CONTROL

2nd Notice of Local Support Application Acceptance

dated May 4, 2023



Mayor Ted R. Green

Council Chair Christopher Awe

Tiffany Harris-Delaney
Policy, Planning & Development, Director

Aziza K. McGill-Ayinde
Board of Cannabis Control, Chair

Rosemarie Moyeno Matos, Esq.
Board of Cannabis Control, Attorney

Table of Contents

I.	GENERAL INFORMATION AND SUMMARY	1
II.	DEFINITIONS.....	1
III.	GENERAL APPLICATION PROVISIONS	3
IV.	APPLICATION PROCESSING TIMELINE	3
V.	ELIGIBILITY REQUIREMENTS AND LIMITATIONS	4
VI.	MANDATORY APPLICATION REQUIREMENTS.....	5
VII.	WEIGHTED APPLICATION CRITERIA	6
VIII.	BONUS POINTS	8
IX.	FEES	8
X.	APPLICATION REVIEW, SCORING AND APPROVAL.....	9
XI.	APPLICATION DISQUALIFICATION AND DENIAL	9
XII.	BCC HEARINGS	10
XIII.	COUNCIL ENDORSEMENTS.....	10
XIV.	RESOLUTIONS OF SUPPORT.....	11

INTRODUCTION

Pursuant to East Orange’s Ordinance No. 26 of 2022, as amended (the “**Cannabis Ordinance**”), this 2nd Notice of Local Support Application Acceptance (this “**Notice**”) provides public notice of the Board of Cannabis Control’s (the “**BCC**”) intent to commence accepting applications for Resolutions of Support for all classes and types of Permits authorized to operate in East Orange (each, a “**Local Support Application**”) on May 22, 2023 until such time as the maximum number of available Resolutions of Support are issued by the City Council (the “**New Application Acceptance Period**”). Interested Applicants should carefully review this Notice for information related to eligibility and limitations, mandatory requirements, weighted criteria, bonus points, fees, the timeline, and process for reviewing, scoring and approving Local Support Applications, the basis for denials and disqualifications, scheduling and conduct of hearings, endorsements to the Council and the issuance of Resolutions of Local Support (each, a “**Resolution**”).

I. GENERAL INFORMATION AND SUMMARY

Pursuant to the Cannabis Ordinance, the East Orange City Council (the “**Council**”) will only issue Resolutions for the maximum number of Cannabis Business Permits (each, a “**Permit**”) authorized per Class and Type. Accordingly, the BCC has established the New Application Acceptance Period for the purpose of allowing Cannabis Cultivator, Cannabis Manufacturer, Cannabis Wholesaler, Cannabis Distributor, Cannabis Retailer, and Cannabis Delivery Service applicants an opportunity to obtain one of the limited number of Resolutions available.

During the New Application Acceptance Period, the BCC will accept Local Support Applications on a rolling basis until such time as the City Council issues the maximum number of Resolutions available, and the BCC announces at a public meeting that it will no longer accept Local Support Applications for any particular Permit class or type. Currently, there are no Resolutions available for Standard Cannabis Retailers. The number of Resolutions available per Permit class and type as of the date of this Notice is available in Section V of this Notice. Further, you may find the most current information on Resolution availability on the BCC’s webpage at www.eastorangebcc.org

All Applications must be submitted in the time, manner, and format, and include the Mandatory Application Requirements, prescribed in this Notice and the instructions accompanying the Application (the “**Application Instructions**”) (collectively, the “**Mandatory Application Requirements**”). Failure to comply with the Mandatory Application Requirements will result in a Local Support Application being rejected, denied or disqualified.

Substantive questions regarding this Notice, the Cannabis Ordinance or the Local Support Application should be emailed to the BCC at EOCannabisBoard@eastorange-nj.gov with a copy to BCC Counsel, Rosemarie Moyeno Matos, Esq. @ rmatos@lawrmm.com. Please include in the subject line “BCC Local Support Application Question.” Questions shall be accepted and reviewed on a continuous rolling basis. The BCC reserves the right to determine if a specific question will be answered. Responses to general questions received by the BCC may be included in the Cannabis Business Guide to be published by the BCC in the near future.

The BCC further reserves the right to update, amend or otherwise supplement this Notice at any time following publication. Any substantive changes to this Notice will be announced at a public meeting and posted on the BCC’s webpage. Applicants should regularly check the BCC’s webpage for the most current information related to Local Support Applications.

II. DEFINITIONS

This Notice incorporates all definitions promulgated under the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the “**Act**”) codified at N.J.S.A. 24:6I-33, as supplemented by the Cannabis Regulatory Commission’s Personal Use Cannabis Rules (the “**CRC Rules**”), codified at N.J.A.C. 17:30-1.2, and the Cannabis Ordinance (collectively, the “**Applicable Law**”).

The following are the meanings of defined terms included in this Notice not previously defined in the Cannabis Ordinance:

“Abandoned Resolution” means a Resolution that has expired, and the Applicant failed to request an extension of the expiration date within the times prescribed in Section XIV of this Notice.

“Applicant” means the entity seeking a Resolution pursuant to this Notice.

“Application Materials” means those documents in addition to this Notice, the Local Support Application and the Application Instructions prepared, or otherwise made available, by the BCC on its webpage as additional resources to Applicants including, without limitation, the Cannabis Ordinance, a Cannabis Zoning Map, the Zoning Certification Letter Application, the Council Supported Cannabis Business Site Map, and the Cannabis Business Guide.

“Applicant Representative” means an owner, board member or officer of the Applicant with the authority to bind.

“New Application Acceptance Period” means that period commencing on May 22, 2023, when the BCC will accept Local Support Applications for Resolutions on a continuous, rolling basis for all Classes and Types of Permits authorized to operate in East Orange until such time as the maximum number of available Resolutions are issued by the City Council.

“Bonus Points” means those additional points the BCC may award in scoring a Local Support Application based on the criteria established in Section VIII of this Notice.

“Council Supported Cannabis Business Site Map” means that map, as amended and published on the BCC webpage, which identifies Applicants and the Premises that have been issued Resolutions.

“Cannabis Ordinance” means East Orange Ordinance Number 26 of 2022, as it amends or supplements the municipal code of the City with respect to the cultivation, manufacture, sale and resale, transportation and delivery, possession, consumption, use and local taxation of Cannabis and Cannabis Products within East Orange, and as may be amended from time to time.

“Complete Application” means a Local Support Application that was completed, signed, and notarized, with all “mandatory” and “applicable” supporting documentation attached and payment for applicable fees, submitted in the manner prescribed by the BCC in accordance with the provisions of this Notice and the Application Instructions.

“CRC License Applicant” means an Applicant for any Cannabis Business License issued by the CRC.

“Cured Application” means a Local Support Application that was denied because it did not meet the minimum criteria set forth this Notice, returned to the Applicant to correct and/or amend, and completed and resubmitted by the Applicant to the BCC, in accordance with the provisions of Section X of this Notice.

“Incomplete Application” means a Local Support Application that was deemed incomplete because it was not completed, signed, and notarized, with all “mandatory” and “applicable” supporting documentation attached and payment for applicable fees, or submitted in the manner prescribed by the BCC in accordance with the provisions of this Notice and the Application Instructions.

“Hearing” means any hearing scheduled before the BCC, in accordance with the provisions of Section XII of this Notice.

“Owner” means any person or entity that holds at least a 5% aggregate ownership interest (as defined in the CRC Rules) in an Applicant.

“Permit” means an authorization or approval issued by the BCC in accordance with the Cannabis Ordinance to operate as a Cannabis Cultivator, Manufacturer, Wholesaler, Distributor, Retailer or Delivery Service.

“Premises” includes the following areas of a location controlled or operated by an Applicant: (1) all public and private enclosed areas at the location that are used in the business operated at the location, including, but not limited to, offices, kitchens, rest rooms, and storerooms; (2) any areas outside a building that is used, or is to be used, for the cultivation, manufacturing, wholesaling, distributing, retail sale, or delivery of Cannabis Items; (3) or

a location that is used, or is to be used, for the cultivation of Cannabis outside a building, the entire Lot or parcel that the Applicant owns, leases, or has a right to occupy; and (4) a purely administrative office operated by a Cannabis Distributor or Delivery Service that is not used for the possession or handling of Cannabis or Cannabis Items shall not be considered to be a Premises.

“**Resolution**” means a Resolution of Support issued by the Council, in accordance with the provisions of Section XIV of this Notice.

“**Weighted Criteria**” means the criteria applied by the BBC in reviewing and scoring Applications, in accordance with the provisions of Section VII of this Notice.

“**Site Control**” means exclusive rights to the proposed location for a Cannabis Business established by ownership, lease, or other means and as evidenced by a lease agreement, contingent contract, deed, or similar documentation.

III. GENERAL APPLICATION PROVISIONS

The BCC will publish this Notice, the Local Support Application, the Cannabis Ordinance, a Cannabis Zoning Map, the Zoning Certification Letter Application, the Council Supported Cannabis Business Site Map, and the Cannabis Business Guide, among others (collectively, the “**Application Materials**”) on the BCC webpage on or before May 22, 2023. Application Materials shall also be made available at the office of the BCC Secretary, Donyale Harris, located at 44 City Hall Plaza in East Orange (the “**BCC Secretary**”), or by email request to EOCannabisBCC@eastorange-nj.gov. Requests made via email should include “Request for Application Materials” in the subject line of the email. Updates or changes to the Application Materials will be provided on the BCC webpage.

For a Local Support Application to be deemed complete and responsive it shall include a full and complete response to each question in the Application and include the Mandatory Application Requirements specified in Section VI of this Notice and the Application Instructions. All costs involved with the preparation and submission of a Local Support Application shall be the responsibility of the Applicant.

Completed Local Support Applications shall be hand delivered to the BCC Secretary at 44 City Hall Plaza in East Orange, in the manner prescribed in the Application Instructions. Local Support Applications not delivered in the manner prescribed in the Application Instructions or delivered before the New Application Acceptance Period opens or after it closes, shall be rejected and returned to the Applicant without processing by the BCC Secretary. Applicants may resubmit rejected Local Support Applications at any time during the New Application Acceptance Period so long as the BCC is still accepting Local Support Applications for the Class and Type of Permit sought by Applicant.

IV. APPLICATION PROCESSING TIMELINE

Unless announced otherwise at a public meeting, the BCC shall accept Local Support Applications for all Classes and Types of Permits authorized in East Orange, except for Standard Cannabis Retailers during the New Application Acceptance Period.

Local Support Applications will only be processed based on the timeline set forth herein, as may be amended by the BCC in its sole discretion. Applicants with Conditional Licenses from the CRC set to expire while an application is pending before the BCC, should request an extension as requests for expedited reviews will not be honored. The BCC will cooperate with an Applicant in verifying the pending status of its Local Support Application. It is the sole responsibility of Applicant to seek all extensions required for its Conditional License.

V. ELIGIBILITY REQUIREMENTS AND LIMITATIONS

To be eligible to submit a Local Support Application in accordance with this Notice, Applicants are required to meet all eligibility requirements set forth in N.J.A.C. §§ 17:30-7.4 and/or 7.11, as well as all the limitations set forth in N.J.A.C. §§ 17:30-6.8, and any additional requirements set forth in this Notice.

The East Orange Council will only issue Resolutions for the maximum number of Permits authorized per Class under the Cannabis Ordinance. The maximum number of Permits, per Class and type, authorized under the Cannabis Ordinance are set forth below:

Permit Class	Maximum Standard Permits	Maximum Microbusiness Permits
Class 1 Cultivation	2	2
Cannabis Manufacturer	2	2
Cannabis Wholesaler	2	2
Cannabis Distributor	1	1
Cannabis Retailer (with or without a Cannabis Consumption Area)	3	3
Cannabis Delivery Service	3	3

Notwithstanding anything contained herein to the contrary, the following limitations apply to the submission of Local Support Applications pursuant to this Notice:

- A. The Cannabis Ordinance does not authorize the operations of Testing Laboratories or Expanded ATCs in East Orange, and Applications for such Cannabis Business operations will be rejected.
- B. As of the date of this Notice, there are no Resolutions available for Standard Cannabis Retailers, and only 1 Resolution available each for a Microbusiness Cannabis Cultivator and a Microbusiness Cannabis Manufacturer. The BCC website will be updated to reflect the number of Resolutions available per Permit class and type as the Council issues more Resolutions.
- C. Cannabis Retailers may apply for Consumption Area Endorsements in the same Local Support Application, however, the BCC reserves the right to bifurcate the review and approval process for Cannabis Area Endorsements at any time contingent on the issuance of further guidance from the CRC regarding Cannabis Area Endorsements.
- D. Consistent with N.J.A.C. §§ 17:30-6.8:
 1. A Licensee may concurrently hold 1 Cannabis Cultivator, 1 Cannabis Manufacturer, 1 Cannabis Retailer, and 1 Cannabis Delivery Service License or concurrently hold 1 Cannabis Wholesaler and 1 Cannabis Distributor License; and not any other combination thereof. Therefore, the BCC will only accept Local Support Applications based on the prescribed manner of concurrent licensing.
 2. The Owners and Principals (including their spouses, domestic partners, civil union partners, children, siblings, or parents) of Applicant may not be the Owner or Principal of another Applicant, or Licensee anywhere in the State of New Jersey.

- E. Applicants shall submit one Local Support Application for authorized, concurrent Cannabis Business operations provided all operations will be conducted at the same Premises. If Cannabis Business operations are to be conducted at multiple Premises, the Applicant shall submit one Local Support Application for each Premises.

VI. MANDATORY APPLICATION REQUIREMENTS

The following are “mandatory” submission requirements for all Applicants (the “*Mandatory Application Requirements*”):

- A. Application:
 - 1. Fully completed, signed, and notarized Local Support Application with all required attachments provided in a 3-Ring Binder with properly labeled Exhibit tabs and Applicant’s Name and Representative Contact Information in accordance with the Application Instructions; and
 - 2. A flash drive with a digital copy of the Local Support Application and all required attachments saved in a .pdf format, or instructions to download a digital copy.
- B. Fees:
 - 1. Check made payable to the City of East Orange in the amount of \$250.00 for Local Support Administrative Fee, with Applicant’s Name and “Local Support Administrative Fee” in the memo section.
 - 2. Check made payable to the City of East Orange in the aggregate amount of all Local Support Application Fees check by Applicant, with Applicant’s Name and “Local Support Application Fee(s)” in the memo section.
- C. Exhibits:
 - 1. Exhibit 1H – Business Experience
 - 2. Exhibit 1I – Organization Chart
 - 3. Exhibit 1J – Resumes
 - 4. Exhibit 4A – Zoning Certification Letter
 - 5. Exhibit 4B – Separation Distance Map
 - 6. Exhibit 4D – Floor Plans or Architectural Renderings
 - 7. Exhibit 4G – Premises’ Suitability Statement
 - 8. Exhibit 6A – Business Plan
 - 9. Exhibit 6B – Security Plan
 - 10. Exhibit 6C – Workforce Development Plan
 - 11. Exhibit 6D – Community Impact Plan
 - 12. Exhibit 6E – Social Responsibility Statement
 - 13. Exhibit 6F – Nuisance Mitigation Plan

The following exhibits are Mandatory Application Requirements only if the Applicant indicated they are “applicable” in the Application:

- 1. Exhibit 1A – CRC Social Equity Business Applicant Attestation
- 2. Exhibit 1B – Diversely Owned Business Certifications
- 3. Exhibit 1C – Proofs of Impact Zone Eligibility
- 4. Exhibit 1D – Proofs of CRC Bonus Points Eligibility
- 5. Exhibit 1F – Proofs of Residency
- 6. Exhibit 1G – Evidence of Site Control

7. Exhibit 2C – Conditional License(s)
8. Exhibit 4E – Site Plan Approvals
9. Exhibit 5A – Vehicle Information Statement

VII. WEIGHTED APPLICATION CRITERIA

Complete Applications will be reviewed and scored by the BCC in accordance with the following criteria the “*Weighted Criteria:*”

Criteria	Submission Requirement	Maximum Points
Business Experience	A summary of the background, work history, and/or business experience of all Owners, Principals, and Employees with a particular emphasis on prior experience owning, operating, or working in the legalized Cannabis industry and/or in other highly regulated industries (<i>such as pharmaceuticals, banking, etc.</i>), including profiles of the Applicant’s management team, Applicant’s organization chart, and resumes for all of its current Owners, Principals, and Employees.	15
Premises Suitability Statement and Vehicle Information	<p>A description of the Premises which minimally sets forth:</p> <ul style="list-style-type: none"> ✓ location and size of the Premises and the property on which the Premises are located; ✓ former and/or current use of the Premises; ✓ method of, or plan to obtain, Site Control ✓ suitability of the Premises for the proposed Cannabis Business operation(s); ✓ proposed use/layout of the space; and ✓ an environmental impact plan. <p>A description of each vehicle Applicant proposes to use and store at the Premises which minimally sets forth (<i>if applicable</i>):</p> <ul style="list-style-type: none"> ✓ make, model, VIN (if available) and specs for each vehicle; ✓ whether the vehicle(s) are, or will be, owned or leased; ✓ the registered owner of each vehicle (<i>if applicable</i>); ✓ all safety features the vehicle(s) are, or will be, equipped with to ensure the safe transportation or delivery of Cannabis Items by Applicant; ✓ location(s) where the vehicle(s) will be parked during hours of operation, and stored when not in use; and ✓ plans for the secure transportation or delivery of Cannabis Items. 	10
Business Plan	<p>A business plan which minimally addresses:</p> <ul style="list-style-type: none"> ✓ method of operation; ✓ value proposition for consumers; ✓ product and pricing plans; ✓ market analysis; and ✓ actual or proposed financial ability to implement business plan. 	20
Security Plan	<p>A security plan which minimally addresses:</p> <ul style="list-style-type: none"> ✓ proposed on-site security criteria, including use of 	20

	<ul style="list-style-type: none"> ✓ cameras, security alarms and other surveillance features; ✓ descriptions of equipment proposed for alarm, video surveillance, and access and visitor management systems; ✓ drawings identifying the proposed locations for surveillance cameras and other security features (<i>if Applicant has Site Control</i>); ✓ proposed workplace safety plans, including Applicant’s familiarity with OSHA regulations, and any history of Worker’s Comp claims and safety violations; ✓ plans for storage of Cannabis Items and cash, including any safes, vaults, and climate control systems that will be utilized; ✓ plans for use of security personnel, including experience and qualification requirements; ✓ procedures for screening and monitoring of visitors and employees, including plans to ensure Cannabis Items are not sold to individuals under the age of 21, inventory control and diversion prevention; ✓ plans for ensuring cybersecurity safety; and ✓ an emergency management plan. 	
Workforce Development Plan	<p>a workforce development plan which minimally addresses:</p> <ul style="list-style-type: none"> ✓ ensuring that 35% or more of the Applicant’s workforce will be residents of East Orange; ✓ Applicant’s history of job creation (or plans for same at the proposed Cannabis Business); ✓ education, training, and resources to be made available for employees; ✓ commitment to diversity; and ✓ any relevant business certifications already obtained, or which Applicant intends on obtaining. 	10
Community Impact Plan	<p>A community impact plan which minimally addresses:</p> <ul style="list-style-type: none"> ✓ plans for ensuring the proposed Cannabis Business will have positive social, and economic impacts on the local community; ✓ plans to mitigate actual or perceived negative social, and economic impacts the proposed Cannabis Business may have on the local community, and Applicant’s immediate neighbors specifically; ✓ history of community engagement and outreach (or plans for same); ✓ any ties to the local community; and ✓ any commitments to (or plans for) community-based programming such as education, and/or research development regarding the adverse effects of Cannabis use and substance abuse/addiction, and/or training, education and/or criminal expungement assistance for individuals with marijuana-related arrests, and convictions, including existing or planned strategic partnerships with local organizations. 	15

Social Responsibility Statement	A statement of social responsibility which minimally addresses: <ul style="list-style-type: none"> ✓ Applicant’s history of philanthropic, and charitable endeavors (or plans for same); ✓ plans to improve environmental sustainability; ✓ plans for ethical responsibility; and ✓ plans for economic responsibility. 	5
Nuisance Mitigation Plan	A nuisance mitigation plan which minimally addresses: <ul style="list-style-type: none"> ✓ waste disposal and sanitation, including plans for the disposal of any hazardous materials, wastewater, or any other industrial or agricultural waste materials; ✓ noise control; ✓ odor control; ✓ crowd control; and ✓ pedestrian and vehicular traffic. 	5
Maximum Total Score:		100 Points

Applicants are scored on each criterion based on adherence to the Application Instructions, compliance with the provisions of Applicable Law, and this Notice. Applicants must receive an average Weighted Criteria score of 85 points or greater, which score shall include the Bonus Points established in Section VIII of this Notice, to be scheduled for a hearing before the BCC (a “*Hearing*”) in accordance with Section X of this Notice.

VIII. BONUS POINTS

Applicants that meet the eligibility requirements set forth below shall be awarded Bonus Points pursuant to this Section of the Notice. Applicants must submit proof of eligibility for Bonus Points, which shall be accepted by the BCC in its sole discretion. Bonus Points shall be added to the Application’s average Weighted Criteria score, the sum of which will constitute the Local Support Application’s final score.

Criteria	Eligibility Requirement	Maximum Points
East Orange Residency	Majority ownership of Applicant is vested in one or more residents of East Orange	2.5
Site Control	Applicant has Site Control of the proposed Premises	2.5
Maximum Total Score:		5 Points

IX. FEES

A non-refundable administrative fee of \$250 shall be submitted with each Local Support Application, and any Cured Application, submitted to the BCC for review (each, an “*Administrative Fee*”). Additionally, a non-refundable payment of the total aggregate amount of applicable Local Support Application processing fees for issuance of a Resolution (each, a “*Local Support Application Fee*”) are due at the time of submission of the Local Support Application. Local Support Application Fees represent 50% of the annual Permit renewal fee, with the remaining 50% being due when Applicant applies for a Cannabis Business Permit.

The Local Support Application Fee schedule is set forth below:

Permit Class	Standard Permit		Microbusiness Permit
Cannabis Cultivator (by Canopy Production Tier for Standard Permits)	Tier I (≤ 10k ft ²)	\$2,500	\$1,250
	Tier II (≤ 25k ft ²)	\$3,750	
	Tier III (≤ 50k ft ²)	\$5,000	

	Tier IV ($\leq 75k$ ft ²)	\$7,500	
	Tier V ($\leq 100k$ ft ²)	\$10,000	
	Tier VI ($\leq 150k$ ft ²)	\$12,500	
Cannabis Manufacturer <i>(by Premises' size for Standard Permits)</i>	up to 10k ft ²	\$5,000	\$750
	greater than 10k ft ²	\$7,500	
Cannabis Wholesaler		\$5,000	\$500
Cannabis Distributor		\$2,500	\$250
Cannabis Retailer		\$2,500	\$250
with Cannabis Consumption Area		\$1,250	\$125
Cannabis Delivery Service		\$1,250	\$125

Applicants must submit payment of the Administrative Fee and the aggregate amount of applicable Local Support Application Fees with their Local Support Application in the manner prescribed in the Application Instructions. Only the Administrative Fee must be submitted with each Cured Application. No fees will be refunded in the event Applicant is not awarded a Resolution. Any checks for fees not honored by the Applicant's financial institution will result in the Local Support Application being rejected.

X. APPLICATION REVIEW, SCORING AND APPROVAL

Local Support Applications will be reviewed and scored by the BCC, during and after the New Application Acceptance Period on a rolling basis in the order received. The BCC will apply the Weighted Criteria set forth in Section VII and the Bonus Points set forth in Section VIII of this Notice in scoring all Local Support Applications. Local Support Applications that receive an average score of 85 points or greater will be "approved" and scheduled for a Hearing, in the order and manner prescribed in Section XII of this Notice.

Local Support Applications that do not receive a minimum average score of 85 points will be denied and receive a notice to cure citing the deficiencies determined by the BCC (the "**Cure Notice**"). Applicants are free to cure the deficiencies cited in the Cure Notice and resubmit a Cured Application. Cured Applications will be reviewed and re-scored by the BCC in the same manner prescribed above. Applicants are free to submit and resubmit Cured Applications at any time prior to the BCC announcing at a public meeting that it will no longer accept Cured Applications.

If a tie-breaking measure is needed at any time along this Local Support Application process, that measure will be determined based on the Applicant who submitted first.

XI. APPLICATION DISQUALIFICATION AND DENIAL

- A. An Applicant may be denied an Council Endorsement or a Resolution for reasons that include, but are not limited to:
1. The Local Support Application has not scored sufficiently high to move to a Hearing in accordance with Section VII of this Notice;
 2. The Applicant is determined to not be qualified to hold a State license pursuant to N.J.A.C. §§ 17:30–6.8, 7.4 and/or 7.11;
 3. The Applicant omits any material fact pertaining to its qualification to hold a Cannabis Business Permit pursuant to the Cannabis Ordinance, or N.J.A.C. §§ 17:30–6.8, 7.4 and/or 7.11; or
 4. The BCC has determined the Applicant to be unsuitable to hold a Cannabis Business Permit in East Orange for "good cause." "Good cause" shall include, without limitation:

- (a) Applicant’s failure to meet all the statutory requirements for a Cannabis Business Permit;
 - (b) the character, fitness, experience, and financial responsibility of the Applicant, its Owners, Principals and Employees;
 - (c) unlawful, dishonest, wrongful, or inequitable conduct, or practices by the Applicant, its Owners, Principals and Employees including, without limitation: any act of fraud, misrepresentation, false material statements, concealment, or suppression of facts, documents and other information in connection with the Application, the Applicant or the Premises; and
 - (d) any history of regulatory violations by the Applicant, its Owners, Principals, and Employees.
- B. Additional reasons for disqualification of a Local Support Application may include, without limitation:
- 1. Applicant does not deliver the Local Support Application in accordance with the provisions of this Notice or the Application Instructions;
 - 2. Applicant submits more Local Support Applications than the Applicant is eligible to submit, in which case all Local Support Applications may be rejected;
 - 3. Applicant submits Local Support Applications during the New Application Acceptance Period for Permit classes or types not covered under this Notice;
 - 4. Applicant states that a mandatory requirement cannot be satisfied;
 - 5. Applicant’s response materially changes a Mandatory Application Requirement;
 - 6. Applicant does not timely respond to a BCC request for additional information, documents, or references; and
 - 7. Applicant, or a representative or agent of the Applicant, initiates unauthorized contact with any BCC Member or staff regarding this Notice, or violates any applicable provision of the Act or the Cannabis Ordinance.

XII. BCC HEARINGS

Applicants that advance to a Hearing pursuant to Section X of this Notice, will be scheduled for one or more Hearings as determined by the BCC, in the order of their approval. The BCC shall establish all procedural requirements for the Hearing, including the Hearing schedule and testimony from experts and witnesses, if any.

Minimally, Applicants are required to appear before the BBC, present their case for a Council Endorsement, and respond to all inquiries from the BBC. At the conclusion of each Hearing the BCC Chair shall call for a vote to “approve” a Council Endorsement for Applicants that meet the eligibility requirements set forth in Section XIII of this Notice. Applicants that receive at least the minimum number of required votes at any Hearing where a quorum is present shall receive a Council Endorsement from the BCC.

XIII. COUNCIL ENDORSEMENTS

To be eligible to receive a Council Endorsement for a Resolution (each a “*Council Endorsement*”), an Applicant shall have:

- 1. Satisfied the eligibility requirements and complied with the limitations set forth in Section V of this Notice;
- 2. Submitted a Local Support Application, deemed complete and responsive to all Mandatory Application Requirements in Section VI of this Notice and the Application Instructions, and responded to all requests and inquiries from the BCC;

3. Received a minimum score of not less than 85 points on its Local Support Application, based on the Weighted Criteria and Bonus Points set forth in Sections VII and VIII of this Notice, and received an “approval” in accordance with Section X;
4. Paid all applicable fees in accordance with Section IX of this Notice; and
5. Received the sufficient number of minimum votes required for a Council Endorsement at a Hearing pursuant to Section of XII of this Notice.

XIV. RESOLUTIONS OF SUPPORT

Resolutions shall only be issued by the Council upon endorsement from the BCC. Applicants may, in the Council’s discretion, be required to appear before it for issuance of a Resolution.

The Council shall only issue Resolutions for the maximum number of Permits authorized to operate in East Orange. As of April 10, 2024, the Council issued 3 Resolutions for Standard Cannabis Retailer Permits and 1 Resolution for a Microbusiness Cannabis Cultivator and Cannabis Manufacturer.

Resolutions shall minimally set forth the following:

1. The Applicant’s legal name under which it is registered to do business in the State of New Jersey;
2. The maximum number of Permits authorized by the Cannabis Ordinance for the Class being sought by Applicant; and
3. A confirmation that issuance of a Resolution to Applicant will not exceed the maximum number of Permits authorized by the Cannabis Ordinance.

Resolutions shall automatically expire 180 days from the date issued unless the Applicant has filed a Conversion or Annual License application with the CRC and the application remains under review at least 30 days prior to the Resolution’s expiration date. Under such circumstances, the Applicant must notify the BCC at least 30 days prior to the Resolution’s expiration date of its CRC application status and provide evidence of same to receive an Resolution extending the expiration date. If an Applicant has not submitted a Conversion or Annual Application or has a Conditional License application pending with the CRC, the Applicant must notify the BCC of same at least 60 days prior to the Resolution’s expiration date and request an extension, which the BCC may approve or deny by Endorsement to the Council, in its sole discretion. Applicants who do not contact the BCC to request an extension of their Resolution’s expiration date within the times prescribed above, shall be deemed to have “abandoned” the Resolution (each an “***Abandoned Resolution***”), and the BCC will proceed with endorsing the next Applicant eligible for a Council Endorsement until the maximum number of Resolutions available are exhausted. The process for extending Resolution expiration dates will be announced by the BCC soon.