

ORDINANCE 2018 - 23

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 55 OF THE TOWNSHIP CODE REGARDING THE SALE, MANUFACTURE AND FARMING OF MARIJUANA AND MARIJUANA PARAPHERNALIA

WHEREAS, the Township of Barnegat, through adoption of Barnegat Municipal Code Chapter 55 has established Land Use and Development Regulations; and,

WHEREAS, the Township has determined that businesses selling marijuana and farms that grow marijuana require special concern for security, safety and location; and,

WHEREAS, the Township desires to ensure that such facilities that dispense marijuana are not allowed within ¼ mile of a school, church, or playground, or any commercial or residential zone; and,

WHEREAS, there is no area of the Township which can safely house a business selling, manufacturing or growing marijuana and/or the paraphernalia that facilitates the use of such marijuana; and,

NOW, BE IT ORDAINED by the Township Committee of the Township of Barnegat, in the County of Ocean, in the State of New Jersey, as follows:

Section 1. Chapter 55-5, shall be amended and supplemented to include the following:

F. The following uses or activities are hereby prohibited anywhere within the Township:

Manufacture, grow, cultivate, or conduct any farming activities related to marijuana and the sale of marijuana and/or the paraphernalia that facilitates the use of such marijuana.

Section 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

Section 3. This Ordinance may be renumbered for codification purposes.

Section 4. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

Section 5. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE AND SUMMARY OF ORDINANCE NO. 2018 - 23

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
BARNEGAT, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY
INTRODUCING THE TOWNSHIP CODE REGARDING THE SALE, MANUFACTURE
AND FARMING OF MARIJUANA AND MARIJUANA PARAPHERNALIA**

The purpose of this Ordinance is to restrict the sale, manufacture, and farming of marijuana and marijuana paraphernalia.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Barnegat on June 12, 2018, and will further be considered for final passage and adoption at the Barnegat Township Municipal Building, 900 W. Bay Avenue, Barnegat, New Jersey, on July 3, 2018 at 10:00 a.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Municipal Clerk's Office in the Township of Barnegat, to members of the general public who shall request the same.

MICHELE RIVERS, RMC
MUNICIPAL CLERK

CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance was finally adopted after Public Hearing at a regular meeting to the Township Committee held on the 3rd day of July, 2018, in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ.

Michele Rivers, RMC
Municipal Clerk