

No. #21-10

Ordinance of the Borough of Carteret, N. J.

Councilman _____ Presents the following Ordinance Seconded by Councilman _____

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARTERET TO ADD A NEW CHAPTER ENTITLED "CANNABIS LICENSING AND REGULATION"

BE IT ORDAINED by the Carteret Borough Council, as follows:

SECTION I

The Code of the Borough of Carteret is hereby amended to ADD a new Chapter entitled "CANNABIS LICENSING AND REGULATION".

SECTION II

The first section of said new Chapter, "Creation and Enabling" is hereby ADDED to read as follows:

The Borough of Carteret hereby opts-in to allow for legal cannabis establishments of all license classes enabled by the State of New Jersey. No person or entity shall operate a cannabis related business within the Borough in any of the license areas without having obtained a license in accordance with P.L. 2021, c. 16 New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act and the provisions of the chapter.

SECTION III

The second section of said new Chapter, "Number and Location of Permits" is hereby ADDED to read as follows:

The following shall be the Borough's distribution of permitted cannabis licenses with the class of license to be as set forth in P.L. 2021, c.16. The table shall reflect the zone (per Chapter 160) in which the license classes are permitted, as well as the number of permits allowed in each zone.

Zone	Permitted Class	Number of Total Aggregate Licenses
HB/GB	Class 5	2
LI; HI A&B	Classes 1,2,3,4 and 6	2

SECTION IV

The third section of said new Chapter, "Local Requirements and Pre-Approval" is hereby ADDED to read as follows:

- A. There shall be a fee of One Thousand Dollars (\$1,000.00) for the review of an application for pre-approval for licensure of a proposed cannabis establishment which shall be in addition to any other applicable fees, which shall include an annual renewal fee for license approval of One Thousand Dollars (\$1,000.00).
- B. A letter of pre-approval (license) shall be issued by the Zoning Officer for an approved cannabis establishment pursuant to the provisions of this chapter which shall permit the applicant to apply to the State of New Jersey for a license to operate.

SECTION V

The fourth section of said new Chapter, "Hours of Operation" is hereby **ADDED** to read as follows:

- A. Retail cannabis establishments shall be permitted to operate between the hours of 10:00 am and 10:00pm.
- B. Cultivation, Manufacturing, Distribution, Wholesaling and Delivery establishments, other than home delivery, shall be permitted to operate twenty-four (24) hours per day.
- C. Any of the foregoing notwithstanding, no cannabis establishment of any type shall be permitted within five hundred (500) feet from any school, child care facility, church or residence as measured from door to door, or any park or playground as measured from door to property line.
- D. A violation of this section shall be Five Hundred Dollars (\$500.00) per offense. Each and every day shall constitute a separate violation and offense.

SECTION VI

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect. All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION VII

This Ordinance shall become effective 20 days following final adoption and publication as required by law.

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE

COUNCILMAN	YES	NO	NV	A.B.	COUNCILMAN	YES	NO	NV	A.B.
BELLINO	X				JOHAL	X			
DIAZ	X				KRUM	X			
DIMASCIO	X				NAPLES	X			

X - Indicate Vote AB - Absent NV - Not Voting XOR - Indicates Vote to Overrule Veto

Adopted on first reading of the Council of the Borough of Carteret, N.J., on July 8, 2021

Adopted on second reading after hearing on July 22, 2021

APPROVED BY

ON 7/23/2021

MAYOR

MUNICIPAL CLERK