

BOROUGH OF BUENA  
COUNTY OF ATLANTIC

**ORDINANCE NO. 750**

**AN ORDINANCE OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AMENDING ORDINANCE 705, AS AMENDED, CHAPTER 202 SECTION 202.15C 9(a) OF THE CODE OF THE BOROUGH OF BUENA ENTITLED CANNABIS; FINAL AUTHORIZATION**

**WHEREAS**, in November 2020, a State Referendum was voted upon by the residents of the State of New Jersey to ascertain public opinion on adult use cannabis which reflected that 67% of the voting population is in favor of the legalization of adult use cannabis in the State and as a result, the State Legislation adopted the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Act (CREAMM) N.J.S.A. 24:6I-31, et seq; which establishes the authority by which municipalities may regulate the sale and use of adult use cannabis; and

**WHEREAS**, N.J.S.A. 24:6I-45 authorizes municipalities to adopt legislation governing the number and types of cannabis businesses as established under CREAMM and further required municipalities not wishing to accept cannabis businesses to adopt such legislation on or before August 2021 or such municipalities shall be required to allow all types of licenses; and

**WHEREAS**, Buena Borough did not adopt such legislation within the time set forth in N.J.S.A. 24:6I-45 and therefore all classes of cannabis businesses are permitted within the Borough and the Borough adopted Ordinance 705, as amended, to set forth the process for the issuance of local licenses for cannabis businesses; and

**WHEREAS**, Council required as part of the Final Authorization process, all approved applicants submit site plans and receive approval from the Buena Borough Land Use Board; and

**WHEREAS**, the Solicitor for the Land Use Board recommended that the time within which an applicant should submit site plans should be increased from 30 to 90 days to allow applicants the necessary time for their professionals to prepare and submit said plans for approval.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Buena that Ordinance 705, Chapter 202, Section 202.15C 4(a) be amended as follows:

9. Final Authorization. For applicants that have an equitable interest in the property, the Borough may grant final license approval, subject to compliance with all site plan requirements and construction rules and regulations including the issuance of a CO or TCO, if the applicant:
  - (a) Submits site plans for approval for authorization from the Buena Borough Land Use Board within 90 days of receiving conditional authorization and posts necessary escrow funds to appear before the Land Use Board.

**BE IT FURTHER ORDAINED** that the balance of Ordinance 705, as amended, Chapter 202.15C not amended hereby shall remain in full force and effect.

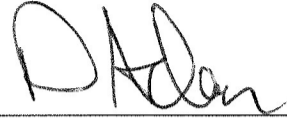
**BE IT FURTHER ORDAINED** that any Ordinance or portion thereof inconsistent herewith shall be repealed and void to the extent of such inconsistency.

**BE IT FURTHER ORDAINED** that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction; the balance hereof shall remain in full force and effect.

Passed First Reading: March 11, 2024

Passed Second Reading: March 25, 2024

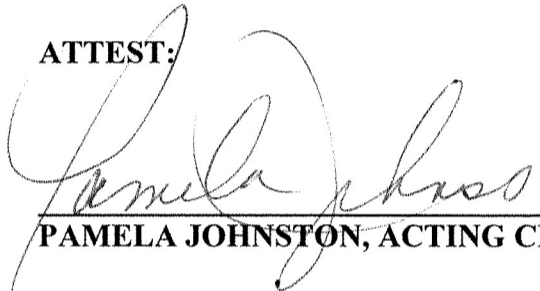
**BOROUGH OF BUENA:**




**DOUGLAS ADAMS  
COUNCIL PRESIDENT**

**APPROVED BY THE MAYOR**

**ATTEST:**



**PAMELA JOHNSTON, ACTING CLERK**



**JOSEPH BARUFFI, MAYOR**