

**BOROUGH OF LINDENWOLD  
ORDINANCE NO. 2026:8**

**AN ORDINANCE OF THE BOROUGH OF LINDENWOLD, COUNTY OF  
CAMDEN AND STATE OF NEW JERSEY AMENDING ARTICLE XIII  
("REGULATIONS FOR B-2 ZONE") TO INCLUDE A NEW SECTION 365-  
68B ("CANNABIS ESTABLISHMENTS")**

**WHEREAS**, the Borough of Lindenwold ("Borough") is a municipal entity organized and existing under the laws of State of New Jersey and located in Camden County; and

**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 N.J.S.A. 24:6I-31 et seq., known as the "New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act" ("CREAMMA"), 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 law establishes six specific types of cannabis related businesses that may be licensed by the State and allows each municipality to determine whether or not each of these types of businesses shall be permitted within their municipal boundaries. The types of cannabis related businesses authorized by the CREAMMA Act are as follows:

- Class 1: Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2: Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3: Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4: Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5: Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; 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 purchased 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; and

**WHEREAS**, the CREAMMA Act authorizes municipalities to adopt by ordinance regulations governing the number of Cannabis Establishments, Cannabis distributors and Cannabis Delivery services, except for the delivery of Cannabis items and related supplies by a Cannabis delivery service based and initiated from outside of the municipality; and

**WHEREAS**, the CREAMMA Act, authorizes municipalities to prohibit by ordinance the operation of any one or more classes of Cannabis establishments, distributors or delivery services anywhere in the municipality, except for the delivery of Cannabis items and related supplies by a delivery service based and initiated from outside of the municipality; and

**WHEREAS**, the CREAMMA Act, also stipulates that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (i.e. by August 21, 2021); and

**WHEREAS**, the CREAMMA Act does not impose a restriction for a municipality to authorize the operation of any one or more classes of Cannabis Establishments, after initially opting to prohibit by ordinance the operation of Cannabis Establishments, and

**WHEREAS**, on April 28, 2021, the governing body of the Borough of Lindenwold enacted Ordinance 2021-05, which prohibited all cannabis establishments, cannabis distributors, or cannabis delivery services from operating within the Borough of Lindenwold, and

**WHEREAS**, the Mayor and Borough Council of the Borough of Lindenwold find it in the best interests of the community to repeal Ordinance 2021-05, and have further determined that it is in the best interest of the Borough to adopt and implement this Ordinance, which is in keeping with goals of the Master Plan and which protects the health, safety and welfare of its residents and visitors.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Lindenwold, County of Camden and State of New Jersey that the following Amendment to Chapter 365-68 ("Conditional Uses for B-2 Zones") be included in Code of the Borough of Lindenwold:

**§ 365-68(A) Alcohol Beverage Sales.**

Any sale of alcoholic beverage as defined in § 69-2 shall not occur within 1,000 feet of a school, church, community house, children's playground or amusement area. Distance shall be determined by measuring, in a straight line, the closest points between the conditional use and the heretofore mentioned use or the actual walking distance, whichever is greater.

## **§ 365-68(B) Cannabis Establishments.**

### **1. Purpose.**

It is the purpose of this Chapter to implement the provisions of N.J.S.A. 24:6I-31 et seq., which authorizes a municipality to permit and regulate the sale and distribution of recreational Cannabis within its borders. Any definition not specifically set forth herein shall have the same meaning as a definition included in N.J.S.A. 24:6I-33.

### **2. Definitions.**

- A. **“Cannabis”** - means the same as defined in N.J.S.A. 24:6I-33. 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 N.J.S.A. 24:6I-31, et seq. 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,” N.J.S.A. 24:6I-1 et al. and N.J.S.A. 18A:40-12.22 et al.; marijuana defined in NJSA 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 N.J.S.A. 2C:35B-1 et seq., or marijuana as defined in N.J.S.A. 24:21-2 et al., and applied to any offense set forth in the “New Jersey Controlled Dangerous Substance Act.” N.J.S.A. 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,” N.J.S.A. 4:28-6 et al.
- B. **“Cannabis Cultivator”**- means the same as defined in N.J.S.A. 24:6I-33. Any licensed person or entity that grows, cultivates, or produces cannabis in the 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.
- C. **“Cannabis Establishment”** - means the same as defined in N.J.S.A. 24:6I-33. A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.
- D. **“Cannabis items”** - means the same as defined in N.J.S.A. 24:6I-33. 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.” N.J.S.A. 24:6I-1 et al.; and N.J.S.A. 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,” N.J.S.A. 4:28-6 et al.
- E. **“Cannabis Manufacturer”** - means the same as defined in N.J.S.A. 24:6I-33. 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.
- F. **“Cannabis Retailer”** - means the same as defined in N.J.S.A. 24:6I-33. 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.

- G. **“Cannabis Wholesaler”** - means the same as defined in N.J.S.A. 24:6I-33. 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.
- H. **“Consumer”** - means the same as defined in N.J.S.A. 24:6I-33. A person 21 years of age or older who purchases, directly or through a cannabis delivery service, acquires, owns, holds, or uses cannabis items for personal use by a person 21 years of age or older, but not for resale to others.
- I. **“Premises”** - means the same as defined in N.J.S.A. 24:6I-33. It includes the following areas of a location licensed under the N.J.S.A. 24:6I-31 et seq.: 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.

### 3. Cannabis Establishments Permitted.

- A. The following cannabis related business type of licenses shall be authorized as conditionally permitted overlays within the B-2 Zoning District of the Borough of Lindenwold:
1. Class 5: Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
  2. 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 purchased 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.

### 4. Conditions of Operation for Cannabis Establishments:

- A. All Cannabis Establishments, located within the Borough shall meet all requirements for licensure and hold the appropriate license issued by the Cannabis Regulatory Commission, Department of Treasury, State of New Jersey. A copy of all issued or renewed state licenses shall be provided to the Borough Clerk, and kept on file within the Clerk's office.
- B. No Cannabis Establishment shall permit on-site consumption of Cannabis or Cannabis related products including no on-site sales and consumption of alcohol or tobacco products.
- C. No outside storage of any Cannabis, Cannabis products or Cannabis related materials shall be permitted.
- D. Hours of operation of any Cannabis Retail Facility shall be limited from 10:00 AM to 12:00 AM, seven days a week.
- E. For each Cannabis Establishment located within the Borough a security plan to be approved by the Lindenwold Police Department and Joint Land Use Board Solicitor and/or Joint Land Use Board Engineer and shall be provided to demonstrate how the facility will maintain effective security and control of the operations. The plan should include the following but not limited to:
1. Type of security systems to be installed.
  2. Installation, operation and maintenance of security cameras covering all interior and exterior spaces, parking lots, loading areas and all such other areas in and around the establishment. All cameras in or around the property shall be accessible to the police department at all times.
  3. Tracking and record keeping of products and materials.

4. Type of lighting provided in and around the establishments.
5. Location on site security team and armed guard on premises.
6. Emergency contact information of two individuals to be utilized by police, fire, and EMT personnel in the event of an on-site emergency.
7. A site plan securing access to the interior of the premises such that no individual will have access to any product being marketed, sold, or displayed at the establishment.
8. Alarm system (perimeter, fire and panic buttons).
9. Remote monitoring of alarm systems by licensed security professionals.
10. Perimeter lighting systems (including motion sensors) for after-hours Security.
11. Perimeter security and lighting.
12. Establishing limited access areas accessible only to authorized cannabis business personnel.
13. All cannabis and cannabis products shall be stored and secured in accordance with the requirements specified by the State of New Jersey. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft and loss.
14. Twenty-four-hour security surveillance cameras to monitor all entrances and exits to and from the business premises, all interior spaces within the cannabis business which are open and accessible to the public, all interior spaces where cannabis, cash or currency is being stored for any period of time on a regular basis and all interior spaces where diversion of cannabis could reasonably occur. Live feed and video recordings shall be maintained for a minimum of 90 days.
15. Entrance areas are to be under the control of a designated responsible party that is either an employee of the cannabis business or a licensed security professional.

F. The Borough of Lindenwold shall permit a maximum of 2 licenses for all Cannabis Establishments, regardless of classification.

G. All Cannabis Establishments shall make payment in full of all applicable local fees, including inspection and licensing fees, including a nonrefundable application fee, prior to being granted a license to operate within the Borough;

**5. Conditions of Performance Standards:**

A. All Cannabis Establishments shall provide detailed information on Odor Control from their site.

This shall include Air treatment systems with sufficient odor absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located in the same building if the use occupies a portion of a building. A cannabis business shall implement an adequate ventilation system and odor control filtration measures to prevent odors from inside the business premises from being detected outside the business premises. Activated carbon filters are required for locations growing or manufacturing cannabis. If any cannabis facility has multiple complaints of odors this may trigger an inspection. If upon inspection a facility does have noticeable odor coming from inside the facility to outside the facility, then additional measures to reduce odor will be required as determined by the Borough. This includes, but is not limited to, the installation of additional activated carbon or other kinds of filters.

B. All Cannabis Establishments shall provide for noise mitigation features designed to minimize disturbance from machinery, processing and or packaging operations, loading and other noise generating equipment or machinery. All licensed facilities must operate within applicable State decibel requirements.

C. Loitering, disruption to, and or obstruction of the free passage of persons or vehicles in immediate vicinity of the property shall be considered unlawful.

**6. Conditions of Site Development Standards:**

- A. All Cannabis Establishment operations shall be conducted within a building. No operations shall be conducted outside.
  
- B. No Cannabis Establishment shall be located within 200 feet of a house of worship, school, day care center, public park or playground, or childcare center.
  
- C. Parking: The parking required at a cannabis facility shall be in compliance with the schedule as set forth in Ordinance Section 365-94-R, which shall require one parking space for every 250 square feet of interior floor area. Where the calculation results in a fraction of a space, the required number of parking spaces shall be rounded to the nearest whole number.
  
- D. Signage: Signage shall comply with Article XV Sign Regulations of the Lindenwold Borough Code.


All Ordinances contrary to the provisions of this section of the Ordinance are hereby repealed to the extent that they are inconsistent herewith.

This Ordinance shall take effect upon final passage and publication in accordance with law.


INTRODUCED: March 25<sup>th</sup>, 2026

ADOPTED: April 8<sup>th</sup>, 2026

**BOROUGH OF LINDENWOLD:**

  
Richard E. Roach, Jr., Mayor

**ATTEST:**

  
Kelly Andrews RMC, CMR  
Acting Borough Clerk