

BOROUGH OF ORADELL

ORDINANCE NO. 21-3

AN ORDINANCE OF THE BOROUGH OF ORADELL

COUNTY OF BERGEN STATE OF NEW JERSEY

AMENDING CHAPTER 240 OF THE BOROUGH CODE

ENTITLED "LAND USE"

Introduced: March 23, 2021

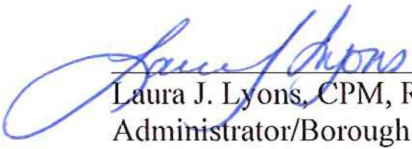
Public Hearing: April 27, 2021

Adopted: April 27, 2021



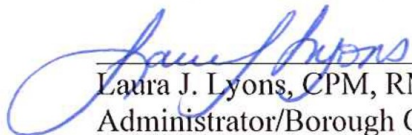
Dianne Camelo Didio, Mayor

ATTEST:



Laura J. Lyons, CPM, RMC, RPPO
Administrator/Borough Clerk

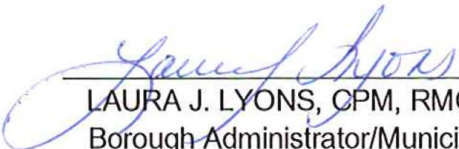
This to certify that the foregoing ordinance was finally passed and adopted at the Regular Public Meeting of the Borough Council of the Borough of Oradell, New Jersey April 27, 2021.



Laura J. Lyons, CPM, RMC, RPPO
Administrator/Borough Clerk

BOROUGH OF ORADELL
BERGEN COUNTY, NEW JERSEY
ORDINANCE #21-3

This ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Oradell, in the County of Bergen and State of New Jersey, held on **March 23, 2021**. It will be further considered for final passage after public hearing thereon, at a Public Meeting of said Borough Council to be held in the Town Hall, in said Borough, on **April 27, 2021** at 7:00 PM, 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 Clerk's Office in said Borough Hall to the members of the general public who shall request the same.


LAURA J. LYONS, CPM, RMC, RPPO
Borough Administrator/Municipal Clerk

21-3
**AN ORDINANCE OF THE
BOROUGH OF ORADELL
COUNTY OF BERGEN
STATE OF NEW JERSEY
AMENDING CHAPTER 240 OF THE BOROUGH CODE
ENTITLED "LAND USE"**

WHEREAS, the Borough of Oradell, in the County of Bergen and State of New Jersey (the "Borough") has a comprehensive Master Plan and Development Ordinances implementing that Master Plan; and

WHEREAS, the Borough has determined that businesses selling recreational marijuana require special concern for security, and location; and

WHEREAS, there is no area of the Borough which can safely house a business selling recreational marijuana and/or the paraphernalia that facilitates the use of such marijuana.

WHEREAS, the New Jersey State Legislature has authorized the Borough to prohibit the operation of any one or more classes of cannabis establishment or cannabis distributors, but not cannabis delivery services; and

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Oradell, in the County of Bergen and State of New Jersey, as follows:

SECTION I.

Chapter 240 of the Borough Code, at Section 6.12 entitled "Uses Prohibited In All Zones", Subsection A, is hereby amended to delete the existing item "10" from the list of uses prohibited in all zones and add a new item "10" as follows:

10. The cultivation, manufacture, warehousing, distribution and sale of Cannabis and/or the paraphernalia that facilitates its recreational use. For the purposes of this section Cannabis shall be defined as all parts of the plant Cannabis sativa Linnaeus, Cannabis Indica or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. Cannabis also means the separated resin, whether crude or purified, obtained from cannabis. Cannabis does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks [except the resin extracted therefrom], fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this section Cannabis does not mean Industrial Hemp. All classes of cannabis establishments and cannabis distributors are prohibited in the Borough of Oradell.

SECTION II.

All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

SECTION III.

In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION IV.

This Ordinance shall be subject to review and recommendation by the Borough Planning Board in accordance with N.J.S.A. 40:55D-26.

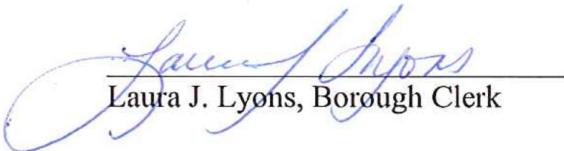
SECTION V.

The County Planning Board shall be provided notice of this proposed ordinance in accordance with N.J.S.A. 40:27-6.10.

SECTION VI.

This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Bergen County Planning Board.


Dianne Didio, Mayor


Laura J. Lyons, Borough Clerk