

ORDINANCE 2023:10

ORDINANCE AOF THE BOROUGH OF SOMERDALE AMENDING ORDINANCE 2021:11, CONCERNING CANNABIS BUSINESS OPERATIONS

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Somerdale, County of Camden, State of New Jersey that Ordinance 2021:11 be and is amended so as to remove Sec. D2 and replace it with the following:

Sec D Operational

2. Any business operating under this Ordinance shall control the Odor of Cannabis in accordance with this section.
 - a. The odor of cannabis shall not exceed 4 D/T as measured by a Nasal Ranger Field Olfactometer at the business's property line. A baseline measurement will be conducted prior to the opening of the operation and will serve as a reference for this measurement.
 - b. It will be the responsibility of the business operator to provide the Borough Code Enforcement Officer with a functioning Nasal Ranger Field Olfactometer at the request of the Officer.
 - c. In the event of a complaint of cannabis odor, the Borough Code Enforcement Officer shall investigate and perform tests to determine the D/T level at the business's property line.
 - d. In the event that the Borough Code Enforcement Officer determines that the odor of cannabis exceeds 4 D/T at the business's property line, the Officer shall provide written notice of same to the business operator and provide a period of time not to exceed 14 days for the business operator to mitigate the odor of cannabis. The Officer may extend this time to mitigate provided that the property owner is making good faith efforts to mitigate the odor of cannabis.
 - e. In the event that the business operator fails to bring the cannabis odor into compliance with the foregoing, after notice and an opportunity to mitigate, the business owner shall be in violation of this ordinance.


BE IT FURTHER ORDAINED that Sec. G2 of Ordinance 2021:11 be amended to remove the existing language and replace it with:

Sec. G Violations

2. In the event of two or more violations of the cannabis odor provisions within a 90 day period, the Borough Code Officer may issue an order closing the facility and suspending the local license which order will be stayed in the event that the business operator files an appeal to Mayor and Borough Council.

Any ordinances inconsistent with the foregoing are repealed.

This ordinance will become effective 20 days following publication of same.



GARY PASSANANTE, MAYOR

ATTEST: _____
MICHELE MILLER, RMC

Date Introduced: August 9, 2023

Date Adopted: September 13, 2023