

ORDINANCE 2019-03

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF STAFFORD, COUNTY OF OCEAN, STATE OF NEW JERSEY, CREATING NEW CHAPTER 214 OF THE TOWNSHIP CODE ENTITLED "RECREATIONAL MARIJUANA" TO BAN THE SALE, CULTIVATION, AND MANUFACTURING, OF RECREATIONAL MARIJUANA WITHIN THE TOWNSHIP OF STAFFORD.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council, Township of Stafford, County of Ocean, State of New Jersey as follows.

SECTION 1. Chapter 214 of the Township Code entitled "Recreational Marijuana" is hereby created and shall read as follows:

214-1. Purpose.

The purpose of this Chapter is the regulation of the retail sale, cultivation, manufacturing of recreational marijuana within the Township of Stafford, in accordance with the regulatory and police powers of the Township.

214-2. Definitions.

"Marijuana Cultivation Facility" shall be defined as a facility licensed to cultivate and grow marijuana to sell to other marijuana cultivation facilities or marijuana retailers, but not to consumers.

"Marijuana Product Manufacturing Facility" shall be defined as an entity licensed to purchase marijuana; manufacture, prepare and package marijuana items; and sell items to other marijuana product manufacturing facilities and to marijuana retailers, but not to consumers.

"Marijuana Retail Establishment" shall be defined as an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana items from marijuana product manufacturing facilities or marijuana wholesalers, and to sell marijuana and marijuana products to consumers from a retail store, which shall also be known as a dispensary.

214.3 General Prohibition.

The operation of marijuana retail establishments, marijuana cultivation facilities, and

marijuana product manufacturing facilities are hereby prohibited in the Township of Stafford.

214-4. Violations and Penalties.

Any person who knowingly violates any of the provisions of this Chapter shall, upon conviction, be subject to a fine of not more than \$1000 or imprisonment for a term of not more than 90 days, or both such fine and imprisonment, in the discretion of the court.

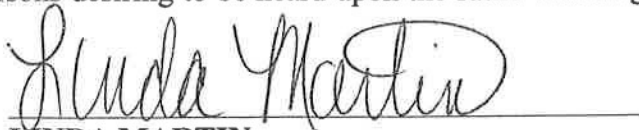
SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

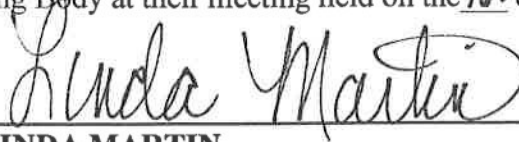
NOTICE IS HEREBY GIVEN, that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Stafford held on the **2th** day of **April, 2019** and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the **16th** day of **April 2019** at 7:00 p.m. at the Municipal Building located at 260 East Bay Avenue, Manahawkin, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



LINDA MARTIN
Acting Municipal Clerk

CERTIFICATION

I, **LINDA MARTIN**, Acting Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing Ordinance was duly adopted on second reading and public comment by the Stafford Township Governing Body at their meeting held on the 16th day of APRIL 2019.



LINDA MARTIN

Acting Municipal Clerk