

BOROUGH OF WEST CAPE MAY
COUNTY OF CAPE MAY
STATE OF NEW JERSEY

ORDINANCE NO. 637-24 - *As Amended*

AN ORDINANCE AMENDING SECTIONS 27-16 AND 27-17
OF THE BOROUGH CODE
REGARDING RETAIL SALE OF CANNABIS

WHEREAS, in 2021, the West Cape May Borough Commission adopted Ordinance 603-21, which in pertinent part permitted properly licensed cannabis retail operations in the C-2 and C-3 commercial zoning districts; and

WHEREAS, having subsequently considered the matter, the Borough Commission has concluded that it should establish a limit on the number of retail cannabis operations in the Borough, and should eliminate retail cannabis establishments as a permitted use in the C-2 zoning district,

NOW, THEREFORE, BE IT ORDAINED by the Borough Commission of the Borough of West Cape May as follows:

SECTION ONE. Section 27-16.1(n) of the Borough Code, permitting licensed cannabis retail establishments in the C-2 zoning district, is hereby repealed in its entirety.

SECTION TWO. Section 27-17.1(k) of the Borough Code, permitting licensed cannabis retail establishments in the C-3 district, is hereby amended to add the following:

5. No more than one Class 5 cannabis retailer license shall be permitted to operate within the Borough at any given time.

SECTION THREE. Prior to final adoption, this Ordinance shall be submitted to the West Cape May Planning Board for review and report, pursuant to N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64

SECTION FOUR. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of that conflict.

SECTION FIVE. Severability. Should any portion of this ordinance be declared unconstitutional or invalid, the remaining portion of this ordinance shall not be affected thereby

and shall remain in full force and effect, and to that end the provisions of this ordinance are declared to be severable.

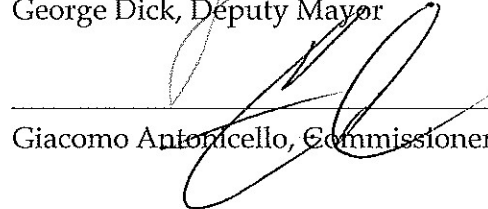
SECTION SIX. Effective Date. This ordinance shall take effect 20 days after passage and publication, according to law.



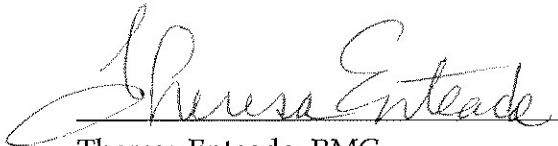
Carol E. Sabo, Mayor



George Dick, Deputy Mayor



Giacomo Antoncello, Commissioner



Theresa Enteado, RMC
Municipal Clerk

Introduced:	March 27, 2024
First Publication:	April 10, 2024
Second Reading & Adoption:	April 24, 2024
Final Publication:	May 1, 2024
Effective Date:	May 14, 2024

I hereby certify that the foregoing is a true copy of an Ordinance duly passed and adopted by a majority of full membership of the Board of Commissioners of the Borough of West Cape May, County of Cape May, New Jersey, at a meeting held on April 24, 2024.



Municipal Clerk