

ORDINANCE NO. 1646-18

TOWNSHIP OF SADDLE BROOK
COUNTY OF BERGEN, NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL
ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, CHAPTER 206
“ZONING” BY ADDING A NEW SECTION TO PROHIBIT RETAIL/WHOLESALE
SALE OF MARIJUANA PRODUCTS (**AS AMENDED**)

WHEREAS, the Township of Saddle Brook desires to amend and supplement the provisions of Chapter 206 “Zoning” of the Township Code of the Township of Saddle Brook.

Now, therefore, be it ordained by the Township Council of the Township of Saddle Brook as follows:

SECTION I.

Chapter 206 “Zoning”, is hereby amended and supplemented by the addition of the following:

General Use Restrictions

The operation of retail marijuana establishments, which includes retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities; and the operation of retail marijuana social clubs are prohibited within the Township of Saddle Brook and, therefore, all activities related to the abovementioned retail uses such as, but not limited to, cultivation, possession, extraction, manufacturing, processing, storing, laboratory testing, labeling, transporting, delivering, dispensing, transferring and distributing are expressly prohibited within the Township of Saddle Brook.

Medical Use of Marijuana. This ordinance shall not be construed **to prohibit, or limit, in any way those otherwise permitted uses that involve the sale, cultivation, manufacturing, testing or other utilization of what is commonly known as “medical marijuana”**, but only as sanctioned by the provisions of the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1, et seq.

SECTION II.

All other parts, portions and provisions of Chapter 206 of the Township of Saddle Brook Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

SECTION III.

Sunset Clause. The establishment of this new section to prohibit retail/wholesale sale of marijuana products shall sunset immediately upon the enactment of any legislation by the United States Congress that would legalize the use of recreational marijuana products that conflicts with the provisions of this Ordinance. This sunset clause shall take effect without further action, unless this section is readopted by the Township Council.

SECTION IV.

The terms of this Ordinance are hereby declared to be severable; should any part, portion, or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

SECTION V.

This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

APPROVED:
TOWNSHIP OF SADDLE BROOK

Peter LoDico, Township Clerk

Mayor Robert D. White

Florence Mazzer
Council President

Adopted: September 6, 2018