

**TOWNSHIP OF SADDLE BROOK
ORDINANCE # 1707-21**

TOWNSHIP OF SADDLE BROOK

**AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF
BERGEN, STATE OF NEW JERSEY AMENDING CHAPTER 206 OF THE
TOWNSHIP CODE REGULATING THE OPERATION OF SPECIFIC
CLASSES OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL
BOUNDARIES**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would

include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in Section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, a cannabis retailer, cannabis distributors or cannabis delivery services”) allowed to operate within their boundaries, as well as the location, manner, and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 32 of the Act also authorizes municipalities by ordinance to regulate the operation of cannabis consumption areas,

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, section 40 of the Act authorizes municipalities by ordinance to levy a transfer tax on the sale of cannabis items by a cannabis establishment located within the municipality;

WHEREAS, the Act authorizes municipalities to establish a transfer tax for each of the following:

- Not to exceed two percent of the receipts from each sale of cannabis by a cannabis cultivator;
- Not to exceed two percent of the receipts from each sale of cannabis by a cannabis manufacturer;

- Not to exceed one percent of the receipts from each sale of cannabis by a cannabis wholesaler;
- Not to exceed two percent of the receipts from each sale of cannabis by a cannabis retailer;

WHEREAS, the Act authorizes municipalities that establish a transfer tax to also impose a user tax, at the equivalent transfer tax rates, on any concurrent license holder as permitted by section 33 of the Act, operating more than one cannabis establishment, and shall be imposed on the value of each transfer or use of cannabis items not otherwise subject to the transfer tax, from the license holder’s establishment that is located in the Township to any of the other license holder’s establishments, whether located in the Township or another municipality;

WHEREAS, the State of New Jersey has previously permitted the use, sale, manufacturing, and cultivation of medical cannabis pursuant to Cannabis cultivated, manufactured, processed, or dispensed pursuant to the “Jake Honig Compassionate Use Medical Cannabis Act,” P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, 46 c.158 (C.18A:40-12.22 et al.).

WHEREAS, the Township Council of the Township of Saddle Brook recognizes the importance of fostering economic opportunities that provide jobs and ratables to the community, while ensuring that such uses can safely and seamlessly fit into the fabric of the community; and

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Saddle Brook, as follows:

SECTION 1. The Township Code of the Township of Saddle Brook is hereby amended and supplemented so as to establish Chapter ____, entitled “Cannabis” to establish municipal regulations governing cannabis establishments within the Township of Saddle Brook.

§1. Purpose.

- A. The purpose of this chapter is to protect the public health, safety, and welfare of the residents, businesses and property in the Township of Saddle Brook by prescribing the manner in which cannabis businesses can be conducted within its borders, regulating its cultivation, production, and distribution in a manner that is consistent with P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” and to minimize negative impacts on the community. It is intended to provide a means of cultivation, production, wholesale distribution and retail sales of cannabis to licensed businesses pursuant to the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”, while protecting the public health and safety through reasonable limitations on business operations as they relate to noise, air, and water safety, as well as public safety. Furthermore, pursuant to the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”, the Township is authorized to impose fees on the sales or equivalent transfers from cannabis based businesses.

§2. Definitions.

CANNABIS

All parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” for use in products as set forth in this act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. “Cannabis” does not include: medical cannabis dispensed to registered qualifying patients pursuant to the “Jake Honig Compassionate Use Medical Cannabis Act,” P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marijuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the “New Jersey Controlled Dangerous Substances Act,” P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the “New Jersey Hemp Farming Act,” P.L.2019, c.238 (C.4:28-6 et al.).

CANNABIS CULTIVATOR

Any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. Cannabis Cultivators refer to those uses that possess a Class 1 Cannabis Cultivator license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS DELIVERY SERVICE

Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. Cannabis delivery services refer to those uses that possess a Class 6 Cannabis Delivery license.

CANNABIS DISTRIBUTOR

Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. Cannabis distributors refer to those uses that possess a Class 4 Cannabis Distributor license under

the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS MANUFACTURER

Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. Cannabis manufacturers refer to those uses that possess a Class 2 Cannabis Manufacturer license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS RETAILER

Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. Cannabis retailers refer to those uses that possess a Class 5 Cannabis Retailer license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS WHOLESALER

Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. Cannabis wholesalers refer to those uses that possess a Class 3 Cannabis Wholesaler license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

§3. General Provisions.

- A. With the exception of loading activities incidental to the operation of the cannabis business, all operations shall occur indoors, within an enclosed building.
- B. Cannabis businesses shall not be located within a building which contains a residence, or within a mixed-use development that includes residential uses.
- C. Cannabis wholesaler, distribution and delivery services are prohibited within the Township of Saddle Brook except for the delivery of cannabis items and related supplies by a delivery service based outside the Township. As such, wholesale, distribution and delivery facilities are expressly prohibited.

- D. Cannabis businesses shall comply with all respective signage regulations in Chapter 206-67. External signage shall be limited to text and business logo, so long as it does not include a cannabis plant leaf or outward glorification of cannabis consumption.
- E. Cannabis businesses shall have security systems in place, along with a continuous recording system that records for a minimum thirty-day archive. This system shall be shared with the Saddle Brook Township Police Department via web browser.
- F. Cannabis businesses shall provide the Saddle Brook Township Police Department with the name and phone number of a staff person to notify during suspicious activity during or after operating hours.
- G. Cannabis businesses shall have security staff on the premises during all hours of operation.
- H. Access to cannabis businesses shall be limited to authorized persons only.
- I. Businesses shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with state regulations.
- J. Cannabis businesses shall be equipped with ventilation systems sufficient in type and capacity to eliminate cannabis odors emanating from the interior to the exterior of the premises discernible by reasonable persons. The ventilation system must be inspected and approved by the Construction Official.

§4. Classes of Permitted Businesses

- A. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), cannabis wholesale, distribution and cannabis delivery establishments are hereby prohibited from operating anywhere in the Township of Saddle Brook.
- B. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), cannabis cultivation, manufacturing, and retailers are permitted in the Township of Saddle Brook, as conditional uses.

§5. Conditional Use Standards.

- A. All cannabis manufacturing, cultivation, and retailer uses shall be conditional uses and must meet the following conditions:
- B. Cannabis manufacturing location and performance requirements:
 - (1) All cannabis manufacturing operations shall only be permitted in the I Industrial

District and shall not be located within 500 feet of any public or private elementary, vocational, or secondary school; a licensed day care center or any residential zone. Distances shall be measured from the closest point on the perimeter of the applicant's property to the closest point of the property of the school, daycare center, or residential zone.

- (2) All manufacturing operations shall be conducted within an enclosed building.
- (3) Manufacturing operations shall utilize ventilation systems that prevent any odors associated with cannabis from leaving the business premises.
- (4) The minimum off-street parking requirement for cannabis manufacturing operations shall be 1.25 spaces per employee on the largest shift.

C. Cannabis cultivator location and performance requirements:

- (1) All cannabis cultivator operations shall only be permitted in the I Industrial District and cultivator operations shall not be located within 500 feet of any public or private elementary, vocational, or secondary school; a licensed day care center or any residential zone. Distances shall be measured from the closest point on the perimeter of the applicant's property to the closest point of the property of the school, daycare center, or residential zone.
- (2) All cultivator operations shall be conducted within an enclosed building.
- (3) Cultivator operations shall utilize ventilation systems that prevent any odors associated with cannabis from leaving the business premises.
- (4) The minimum off-street parking requirement for cannabis cultivator operations shall be 1.25 spaces per employee on the largest shift.

D. Cannabis retailer locational performance requirements:

- (1) All cannabis retailer operations shall only be permitted in the CH - 1 and CH - 2 Limited Commercial Districts and in the B - 2 Secondary Business District adjacent to N.J. Route 46 (Blocks 104, 105, 118, 120, 121, 123, 405 and 412) and retailer operations shall not be located within 500 feet of any public or private elementary, vocational, or secondary school. Distances shall be measured from the closest point on the perimeter of the applicant's property to the closest point of the property of the school.
- (2) Retailer operations shall utilize ventilation systems that prevent any odors associated with cannabis from leaving the business premises.
- (3) The minimum off-street parking requirement for cannabis retailer operations shall be one (1) space per every 200 square feet of retail floor area plus one (1) space per every 1.5 persons maximum occupancy in designated consumption areas.

(4) Consumption Areas:

- a. On-premises consumption of personal use cannabis may occur on private property as permitted by law or at a cannabis retail facility holding a Class 5 cannabis Retailer License, but only in designated consumption areas at Class 5 cannabis retail facilities. Designated consumption areas at cannabis retail facilities may be indoors or outdoors and shall be designated by conspicuous signage.
- b. An indoor cannabis consumption area in which only personal use cannabis items may be consumed shall be a structurally enclosed area within a cannabis retailer that is separated by solid walls or windows from the area in which retail sales of cannabis items occur, shall only be accessible through an interior door after first entering the retailer, and shall comply with all ventilation requirements applicable to cigar lounges, as that term is defined in Section 3 of P.L. 2005, c 383 (C.26-3D-57), in order to permit indoor smoking, vaping, or aerosolizing that is the equivalent of smoking tobacco not in violation of the “New Jersey Smoke-Free Air Act”, P.L. 2005, c 383 (C.26-3D-55).
- c. An outdoor cannabis consumption area shall be on the same premises as the cannabis retailer, that is either separate from or connected to the retailer, and that is not required to be completely enclosed, but shall have sufficient walls, fences, or other barriers to prevent any view of persons consuming personal use cannabis items within the consumption area from any sidewalk or other pedestrian or motorist right-of-way, as the case may be.
- d. Access to a cannabis consumption area in which personal use cannabis items may be consumed, shall be restricted to employees of the cannabis retailer, and to other persons who are at least 21 years of age. Each person shall be required to produce a form of government-issued identification that may be accepted, pursuant to subparagraph (a) of paragraph (6) of subsection a. of Section 18 of P.L. 2021, C. 16 (C.24:6I-35), in order to enter the consumption area for purposes of consuming any personal use cannabis items.
- e. When a person leaves a cannabis consumption area, the cannabis retailer shall ensure that any remaining, unconsumed, personal use cannabis item that is not taken by the person is destroyed.

§ 6 Local Cannabis Tax.

A. Section 40 of the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act (P.L. 2021 c. 16) provides that a municipality may, at its option, impose a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment located in the municipality. Saddle Brook Township has determined that such a tax is appropriate and therefore the following transfer taxes shall be imposed:

- (1) Two percent of all receipts from each sale of cannabis by a cannabis cultivator
- (2) Two percent of all receipts from each sale of cannabis by a cannabis manufacturer
- (3) One percent of all receipts from each sale of cannabis by a cannabis wholesaler
- (4) Two percent of all receipts from each sale of cannabis by a cannabis retailer.

B. A user tax shall also be imposed on any concurrent license holder, as permitted by Section 33

of P.L. 2021, c.16 (C.24-61-46), operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to paragraph A of this subsection, from the license holder's establishment that is located in the municipality to any of the other license holder's establishments, whether located in the municipality or another municipality.

C. (1) A transfer tax or user tax imposed pursuant to this section shall be in addition to any other tax imposed by law. Any transaction for which the transfer tax or user tax is imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.). The transfer tax or user tax shall be collected or paid, and remitted to the municipality by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.

(2) Every cannabis establishment required to collect a transfer tax or user tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, required to be collected under this section.

(3) All revenues collected from a transfer tax or user tax imposed by ordinance pursuant to this section shall be remitted to the chief financial officer of Saddle Brook Township in a manner prescribed by the municipality. The chief financial officer shall collect and administer any transfer tax or user tax imposed by ordinance pursuant to this section. Saddle Brook Township shall enforce the payment of delinquent taxes or transfer fees imposed by ordinance pursuant to this section in the same manner as provided for municipal real property taxes.

(4) In the event that the transfer tax or user tax imposed by ordinance pursuant to this section is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.

(5) Saddle Brook shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.

§ 7. Operational Requirements

A cannabis manufacturer, cultivator, or retailer issued a permit or license by the State of New Jersey and operating in the Township of Saddle Brook under this ordinance shall at all times comply with the following operational requirements:

- A. A cannabis facility shall comply with the zoning code, the building code, and the property maintenance code at all times.
- B. The facility must hold at all times a valid license or permit issued by the State of New Jersey to undertake cannabis activities at the permitted property. A State issued license is valid only for the location identified on the license and until the expiration date printed on the license and cannot be transferred to another location in the Township without a new application. The State issued license shall be prominently displayed inside the permitted premises in a location where it can be easily viewed by law enforcement and administrative authorities.
- C. Cannabis operations shall be conducted solely within the permitted premises on the permitted property. No cannabis facility shall be permitted to operate from a moveable, mobile or transitory location, except for the permitted and transportation of cannabis and cannabis products to and from the facility pursuant to the terms of the State license or permit.
- D. A cannabis facility shall at all times maintain a security system that meets State law requirements, and shall also include:
 - 1. Security surveillance cameras installed to monitor all entrances along with the interior and exterior of the permitted premises;
 - 2. Burglary alarm systems which are professionally monitored and operated 24 hours a day, 7 days a week;
 - 3. All security recordings and documentation shall be preserved for at least 30 days and made available to law enforcement upon request for inspection.
- E. All cannabis in whatever form stored at the permitted premises shall be kept in a secure manner and shall not be visible from outside the permitted premises, nor shall it be grown, processed, exchanged, displayed or dispensed outside the permitted premises.
- F. The amount of cannabis on the permitted property and under the control of the permit holder, owner or operator of the facility shall not exceed the amount permitted by the State license.
- G. Cannabis offered for sale and distribution must be packaged and labeled in accordance with State law.
- H. No pictures, photographs, drawings, or other depictions of cannabis or cannabis paraphernalia shall appear on the outside of any permitted premises nor be visible outside of the permitted premises on the permitted property.
- I. The words "marijuana," "cannabis" and any other words used or intended to convey the presence or availability of marijuana shall not appear on the outside of the permitted premises nor be visible outside of the permitted premises on the permitted property.

- J. The facility's operation and design shall minimize any impact to adjacent uses, including the control of any odor such that no odor is detectable beyond the permitted property. No facility shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors beyond the boundaries of the property on which the facility is operated; or creating any other nuisance that hinders the public health, safety and welfare of the residents of the Town of Saddle Brook.
- K. No person operating or employed by a cannabis cultivation or manufacturing facility shall provide or otherwise make available cannabis to any person who is not legally authorized to possess same under state law.
- L. All necessary building, electrical, plumbing and mechanical permits must be obtained for any part of the permitted premises in which electrical, wiring, lighting or watering devices that support the cultivation, growing, harvesting or testing of cannabis are located.
- M. The owner and operator of a cannabis cultivation or manufacturing facility shall use lawful methods in controlling and disposing of waste or by-products from any activities allowed under the State license or permit.
- N. Cannabis may be transported within the Township under this ordinance by a company licensed to do so by the State, and to effectuate its purpose, only:
 - 1. In a manner consistent with all applicable State laws and rules, as amended;
 - 2. In a secure manner designed to prevent the loss of the cannabis;
 - 3. Using vehicles that do not have exterior markings including the words "marijuana," "cannabis," or any similar or slang words; pictures or other renderings of the cannabis plant; advertisements for cannabis or for its sale, transfer, cultivation, delivery, transportation or manufacture; or any other word, phrase or symbol indicating or tending to indicate that the vehicle is transporting cannabis.
- O. No vehicle may be used for the ongoing or continuous storage of cannabis, but may only be used incidental to, and in furtherance of, the transportation of cannabis and cannabis products.

§8. Any article, section, paragraph, subsection, clause, or other provision of the Saddle Brook Township Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

§9. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

§10. This ordinance shall take effect upon its passage and publication and filing with the Bergen County Planning Board, and as otherwise provided for by law.

§11. All other parts, portions and provisions 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.

§12. 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.

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

ATTEST:

APPROVED:
TOWNSHIP OF SADDLE BROOK

Peter LoDico, Township Clerk

Karen D'Arminio, Council President

Robert White, Mayor

Adopted: August 5, 2021