

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 18-20

**AN ORDINANCE TO SUPPLEMENT §270-26 ENTITLED “PROHIBITED USES
WITHIN THE BOROUGH” OF CHAPTER 270 ENTITLED “ZONING” OF
THE CODE OF THE BOROUGH OF ALLENDALE SO AS TO PROHIBIT
THE USE OF ANY PREMISES IN ANY ZONING DISTRICT OF THE
BOROUGH OF ALLENDALE FOR THE SALE OF MARIJUANA OR
MARIJUANA SUBSTITUTES EXCEPT FOR THE SALE OF
PRESCRIBED MEDICAL MARIJUANA UPON CERTAIN PREMISES**

WHEREAS, the Legislature of the State of New Jersey has under consideration the legalization of the distribution, sale and consumption of marijuana within the State, and

WHEREAS, this Body considers the operation of premises for the unlimited sale of marijuana within the Borough of Allendale (the “Borough”) to be detrimental to the general health and welfare of the Borough and inimical to the current zoning of this Borough.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Allendale in the County of Bergen and State of New Jersey that §270-26 entitled “Prohibited Use Within the Borough” of Chapter 270 entitled “Zoning”, of the Code of the Borough of Allendale be and is hereby supplemented so as to further provide the following:

- M (1) Except as set forth hereinbelow, any land, premises or building used for the sale or distribution of marijuana, which includes retail and wholesale marijuana stores, retail and wholesale marijuana cultivation facilities, retail and wholesale marijuana products manufacturing facilities, retail and wholesale marijuana testing facilities, and the operation of retail and wholesale marijuana social clubs. All activities related to the abovementioned retail and wholesale 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 Borough, except for such land, premises or buildings located within the E Industrial Zone District or the EM Mixed Industrial and Low – and Moderate – Income Multiple – Dwelling Zone District engaged regularly in the sale or dispensing of medical

marijuana pursuant to the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:6I-1, et seq.


- (2) Violations and penalties. The maximum penalty for violation of any provision of this subsection shall, upon conviction, be a fine not exceeding \$2,000 or imprisonment for a term not exceeding 90 days or a period of community service not exceeding 90 days, at the discretion of the Municipal Court Judge.

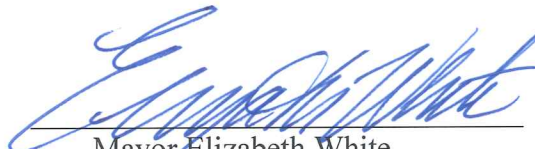
BE IT FURTHER ORDAINED, that, except as modified herein, all other provisions of Chapter 270 of the Borough Code shall remain in full force and effect as previously adopted.

All parts of Ordinances inconsistent with this Ordinance are hereby repealed as to such inconsistent parts and this Ordinance shall take effect after publication and passage in the manner provided by law. If any section, subsection, paragraph, sentence, clause or word of this Ordinance shall be adjudged invalid by a Court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Ordinance it being intended that all such portions be severable in such event.

| | Motion | Second | Yea | Nay | Absent | Abstain |
|------------|--------|--------|-----|-----|--------|---------|
| Bernstein | | | ✓ | | | |
| Homan | | | ✓ | | | |
| O'Connell | | ✓ | ✓ | | | |
| Sasso | ✓ | | ✓ | | | |
| Strauch | | | | | ✓ | |
| Wilczynski | | | ✓ | | | |
| White | | | | | | |

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on September 27, 2018


Anne Dodd, RMC
Municipal Clerk


Mayor Elizabeth White