

NOTICE OF INTRODUCTION AND FIRST READING

BOROUGH OF AVALON
CAPE MAY COUNTY
NEW JERSEY

ORDINANCE NO. 822-2021

AN ORDINANCE AMENDING ORDINANCE 781-2018 WHICH AMENDED AND SUPPLEMENTED CHAPTER 27 ENTITLED "ZONING" OF THE AVALON BOROUGH CODE PERTAINING TO THE SALE OF MARIJUANA AND DECLARNG SUCH SALE TO BE A PROHIBITED USE WITHIN ALL ZONING DISTRICTS IN THE BOROUGH OF AVALON AND READOPTING ORDINANCE 781-2018 AS AMENDED

This Ordinance amends Ordinance 781-2018 and readopts such Ordinance in accordance with the provisions of P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act").

Ordinance 781-2018 was originally adopted on April 10, 2019. This Ordinance (822-2021) reaffirms the provisions thereof which:

- amends and supplements Chapter 27 of the Avalon Code (Zoning) to clarify and reaffirm that the manufacture, sale, and/or distribution of marijuana is prohibited as a non-permitted use in each of the several zoning districts in the Borough of Avalon.
- prohibits the operation of any one or more classes of cannabis establishments, distributors, or cannabis delivery services within the jurisdiction of the municipality;
- Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Avalon, except for the delivery of cannabis items and related supplies by a delivery service. This shall include, but not be limited to any business or enterprise of any nature whatever that is engaged in the cultivation, manufacturing, testing, sale, or distribution of medicinal and recreational marijuana and/or the paraphernalia that facilitates the use of such marijuana is prohibited within the Borough and in each of the several Zoning Districts thereof.

EFFECTIVE DATE: This Ordinance shall be become effective immediately upon passage.

This Ordinance was introduced and passed on first reading on May 26, 2021 and will be further considered for second reading, public hearing and final adoption on June 23, 2021 at the Municipal Building, 3100 Dune Drive, Avalon, NJ 08202 at 4:15 p.m.

A copy of the Ordinance is available at no charge from the Borough Clerk's Office, Borough of Avalon, 3100 Dune Drive, Avalon, NJ 08202 between the hours of 8:15 a.m. and 4:15 p.m., Monday through Friday excluding holidays.

C. DANIELLE NOLLETT
Borough Clerk

Publication date: May 31, 2021