

TOWNSHIP OF HAINESPORT

ORDINANCE 2023-10

ORDINANCE OF THE TOWNSHIP OF HAINESPORT AMENDING CHAPTER 104, OF THE CODE OF THE TOWNSHIP OF HAINESPORT, ENTITLED “LAND USE”, AS WELL AS VARIOUS REDEVELOPMENT PLANS, TO INCORPORATE THE ADDITION OF CANNABIS BUSINESS USES AS PERMITTED USES AS AUTHORIZED IN CHAPTER 77 OF THE CODE

WHEREAS, on March 8, 2022, the Township Committee of the Township of Hainesport adopted Ordinance No. 2022-1, to permit Class 3 Cannabis Wholesalers and Class 4 Cannabis Distributors, with strict requirements and conditions to ensure the health, safety and welfare of the Township’s residents; and

WHEREAS, Ordinance No. 2022-1 specified that Cannabis Wholesalers and Distributors as said terms are defined in Section 77-5 of this Code and Section 3 of P.L. 2021, c. 16 (“New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”), shall be permitted uses in the Township as set forth in Chapter 104.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hainesport, in Burlington County State of New Jersey, as follows:

SECTION I. AMENDED SECTION.

- A. Chapter 104 (“Land Use”), Article II (“Definitions and Word Usage”) shall be added to the Code of the Township of Hainesport as follows:

§ 104-6 DEFINITIONS

CANNABIS BUSINESS - Any person or entity that holds any of the six Classes of licenses established under P.L. 2021, c. 16, 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. This person or entity shall hold a Class 3 Cannabis Wholesaler 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. This person or entity shall hold a Class 4 Cannabis Distributor license.

- B. Section 104-53(L), "Prohibited Uses," of the Code of the Township of Hainesport shall be amended to delete paragraph (8) which currently reads:

(8) For the purposes of P.L. 2021, c. 16 ("New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act") all classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16.

- C. Sections 104-45(B) and 104-45.1(B) of the Code of the Township of Hainesport, and in any and all Redevelopment and Rehabilitation Areas where a Redevelopment Plan has been adopted for said Area(s), shall be amended to add as permitted uses:

"Class 3 cannabis wholesalers and Class 4 cannabis distributors."

SECTION II. SEVERABILITY.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION III. INCONSISTENT ORDINANCES REPEALED.

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION IV. EFFECTIVE DATE.

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

NOTICE OF PUBLIC HEARING

HAINESPORT TOWNSHIP ORDINANCE 2023-10

ORDINANCE OF THE TOWNSHIP OF HAINESPORT AMENDING CHAPTER 104, OF THE CODE OF THE TOWNSHIP OF HAINESPORT, ENTITLED "LAND USE", AS WELL AS VARIOUS REDEVELOPMENT PLANS, TO INCORPORATE THE ADDITION OF CANNABIS BUSINESS USES AS PERMITTED USES AS AUTHORIZED IN CHAPTER 77 OF THE CODE

The Ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Township Committee of the Township of Hainesport held on November 9, 2023. It will be further considered for passage after a public hearing at the regular meeting to be held on December 12, 2023 at the Municipal Building, One Hainesport Centre, Hainesport, New Jersey at 6:30 PM at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

Dated: 11/10/23



Paula L. Kosko, RMC, Township Clerk
Township Administrator

	Motion	Second	Yes	No	Abstain	Absent
Levinson			X			
Gilmore						X
Montgomery	X		X			
Evans		X	X			
Clauss			X			

NOTICE OF FINAL PASSAGE

HAINESPORT TOWNSHIP ORDINANCE 2023-10

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Notice is hereby given that Ordinance No. 2023-10 as entitled above has been finally adopted on final reading by the governing body of Hainesport Township after a public hearing at a meeting held on December 12, 2023. Said Ordinance shall take effect in accordance with the law.

ATTEST:

Dated: 12/12/23

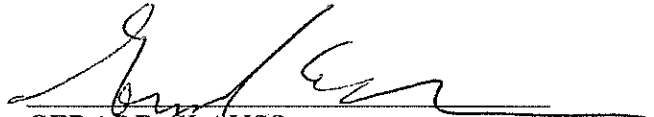


Paula L. Kosko, RMC, Township Clerk
Township Administrator

ACKNOWLEDGMENT OF

APPROVAL BY:

Dated: 12/12/23



GERARD CLAUSS
Mayor of Hainesport Township

	Motion	Second	Yes	No	Abstain	Absent
Levinson			X			
Gilmore			X			
Montgomery	X		X			
Evans		X	X			
Clauss			X			

Introduced: November 9, 2023

First Publication: November 17, 2023

Adoption: December 12, 2023

Final Publication: December 17, 2023