

**BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 2019:19**

**AN ORDINANCE TO AMEND CHAPTER XXX OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF NEW MILFORD THEREBY AMENDING
SUBSECTION 30-20 ENTITLED “GENERAL PROVISIONS”**

WHEREAS, the Borough of New Milford, in the County of Bergen and State of New Jersey (the “Borough”) has a comprehensive Master Plan and Development Ordinances implementing that Master Plan; and

WHEREAS, the Borough has determined that businesses that sell, dispense, manufacture, grow or cultivate store, handle, process, package, deliver or produce medicinal and recreational Cannabis, Cannabis products, and related supplies require special concern for security, and location; and

WHEREAS, the Borough desires to ensure that businesses or facilities that sell, dispense, manufacture, grow or cultivate store, handle, process, package, deliver or produce Cannabis, Cannabis products, and related supplies are not allowed within ¼ mile of a school, church, or playground, or in the Business Zone, Office/Service Zone; Light Industrial Park Zone; Mixed Use Planned Unit Development Zone or any residential zone; and

WHEREAS, there is no area of the Borough which can safely house a business selling, dispensing, manufacturing, growing or cultivating, storing, handling, processing, packaging, delivering or producing medicinal and/or recreational Cannabis, Cannabis products, and related supplies.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of New Milford, in the County of Bergen and State of New Jersey, as follows:

Subsection 30-20 entitled “General Provisions” is hereby amended to add the following:

30-20.6 Prohibited Uses. Any use not specifically permitted in a zoning district established by the Zoning Chapter is hereby expressly prohibited from that district.

- A. It is the policy of the Borough that the following uses are specifically prohibited in all zoning districts:
 1. Businesses selling dispensing, manufacturing, growing, cultivating, storing, handling, processing packaging, delivering or producing medicinal and recreational Cannabis, Cannabis products, and related supplies are a prohibited use in all zones in the Borough of New Milford.
 2. All Cannabis related facilities, including clinics, treatment centers and dispensaries.

3. Businesses where Cannabis, Cannabis products, and related supplies are sold, dispensed, manufactured, grown; cultivated stored, handled, processed, packaged, delivered or produced.
 4. Medical cannabis dispensary or clinical registrant holding a medical cannabis consumption areas.
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- B. All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.
 - C. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.
 - D. This Ordinance shall be subject to review and recommendation by the Borough Planning Board in accordance with N.J.S.A. 40:55D-26.
 - E. The County Planning Board shall be provided notice of this proposed ordinance in accordance with N.J.S.A. 40:27-6.10.
 - F. This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Bergen County Planning Board.