
Borough Attorney /s/Robert L. Tarver, Jr., Esq.

**BOROUGH OF PENNS GROVE
COUNTY OF SALEM, NEW JERSEY**

ORDINANCE NO. 2023-10

AN ORDINANCE AMENDING CANNABIS LAND USE REGULATIONS

WHEREAS, on February 22, 2021, Governor Murphy signed into law the New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act (CREAMMA) which legalizes the recreational use of cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult-use) cannabis establishments, use and possession; and

WHEREAS, the Act establishes six (6) marketplace classes of licensed cannabis businesses; and

WHEREAS, the Borough of Penns Grove is seeking to fix fees and establish regulations regarding cannabis establishments in the Borough; and

WHEREAS, the Borough's Zoning Ordinance must be amended to establish regulations for the various classes of cannabis establishments in respective zoning districts.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Penns Grove that Chapter 450 of the Code of the Borough of Penns Grove, governing Zoning is amended as follows:

Section 1. Definitions

CANNABIS means 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 (C.24:6I-31 et al.) for use in cannabis products, 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 BUSINESS OR CANNABIS ESTABLISHMENT means 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 CULTIVATOR means 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. This person or entity shall hold a Class 1 Cannabis Cultivator license.

CANNABIS MANUFACTURER means 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. This person or entity shall hold a Class 2 Cannabis Manufacturer license.

CANNABIS WHOLESALER means 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 means 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.

CANNABIS RETAILER means 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. This person or entity shall hold a Class 5 Cannabis Retailer license.

CANNABIS DELIVERY SERVICE means 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. This person or entity shall hold a Class 6 Cannabis Delivery license.

MICROBUSINESS means a person or entity licensed as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service that may only, with respect to its business operations, and capacity and quantity of product:

- (1) employ no more than 10 employees;
- (2) operate a cannabis establishment occupying an area of no more than 2,500 square feet, and in the case of a cannabis cultivator, grow cannabis on an area no more than 2,500 square feet measured on a horizontal plane and grow above the plane not higher than 24 feet;
- (3) possess no more than 1,000 cannabis plants each month, except that a cannabis distributor's possession of cannabis plants for transportation shall not be subject to this limit;
- (4) acquire each month, in the case of a cannabis manufacturer, no more than 1,000 pounds of usable cannabis;
- (5) acquire for resale each month, in the case of a cannabis wholesaler, no more than 1,000 pounds of usable cannabis, or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof; and
- (6) acquire for retail sale each month, in the case of a cannabis retailer, no more than 1,000 pounds of usable cannabis or the equivalent amount in any form of manufactured cannabis product or cannabis resin, or any combination thereof.

Section 2. General Provisions.

A. The regulations of this Section are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities. If any provision of this Section is inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall prevail.

B. Prior to the operation of any cannabis establishment, a permit or license must be obtained from the State of New Jersey and from the Borough of Penns Grove for the applicable type(s) of cannabis establishment and for cannabis consumption area endorsement. No cannabis establishment shall be permitted to operate without applicable State and Municipal permits or licenses.

C. When permitted as a conditional use, cannabis operations shall, at all times, comply with the terms and conditions of the licensee's cannabis establishment license permits and licenses issued by the State of New Jersey and the Borough of Penns Grove.

D. Odor. A cannabis establishment shall have the equipment to mitigate cannabis-related odor. The building shall be equipped with a ventilation system with carbon filters sufficient in type and capacity to eliminate cannabis odors emanating from the interior of the premises. The carbon filters are required to be replaced regularly for the best effectiveness to mitigate odor. The Borough reserves the right to inspect all licensed properties for compliance.

E. Noise. Outside generators and other mechanical equipment used for any kind of power supply, cooling, or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution. The Borough reserves the right to inspect all licensed properties for compliance.

F. Security. All cannabis establishments shall be secured in accordance with State of New Jersey statutes and regulations and shall have a round-the-clock video surveillance system, 365 days a year. Licensee is required to coordinate their video surveillance system with PGPD.

G. Compliance with all applicable chapters of the Borough of Penns Grove Borough Code.

H. When the state cannabis regulatory commission receives an application for initial licensing or renewal of an existing license for any cannabis establishment, distributor, or delivery service, or endorsement for a cannabis consumption area, the state commission shall provide, within 14 days, copies of the application shall be delivered to the Borough Clerk.

Section 3. Cannabis Establishments, classes 1 to 6, shall be permitted conditional uses, as regulated herein.

A. Cannabis Establishments possessing a valid Class 1, 2, 3, 4, 5 or 6 license shall be permitted conditional uses, as regulated herein, in all industrial zones, light industrial zones or industrial overlays as well as M1, COS and H-C/I Zones. The Borough reserves the right to expand the list of cannabis establishment locations through amendment of its Borough Code. The Borough reserves the right to limit the number of cannabis establishment locations within any Zone of the Borough of Penns Grove.

1. The initial (non-refundable) application fee and annual license fee for this license shall be ~~\$20,000~~ \$10,000 for Class 1 licenses, ~~\$10,000~~ \$5,000 for Class 2, 3, and 4 licenses and \$5,000.00 for Class 5 licenses when attached to a standard annual license and \$3,000 when attached to a Microbusiness license.
2. Barbed wire or razor wire is prohibited.
3. All Cannabis Establishments shall demonstrate that conditions and safeguards are provided to mitigate any detrimental impacts to the public health, safety or general welfare of nearby residential uses.
4. The signage, bulk, coverage, design standards, loading, and parking regulations and standards of the zone in which the subject property is located shall apply. There shall be no obvious cannabis reference in language pertaining to signage. If standards are differentiated by use, then the following land use categories shall apply:
 - a. Cannabis Establishments subject to class 1 and/or class 2 licenses shall comport with State and Local regulations related to Manufacturing uses.
 - b. Cannabis Establishments subject to a class 3 and/or class 4 license shall comport with regulations related to State and Local Warehousing uses.
 - c. If a Zone does not include the land use categories listed above, the most restrictive but least intense regulations or standards of that particular zone shall apply to that cannabis establishment.
5. Submittal requirements. In addition to the General Cannabis Business License Application Checklist items, a conditional use application for a Cannabis Establishment shall include the following, relating to the manner of operation:
 - a. A community impact plan summarizing how the applicant intends to have a positive impact on the community in which the proposed cannabis establishment is to be located; which shall include an economic impact plan and a description of outreach activities.
 - b. A written description of the applicant's record of social responsibility, philanthropy, and ties to the proposed host community.
 - c. A workforce development and job creation plan, which may include information on the applicant's history of job creation and planned job creation at the proposed cannabis establishment; education, training and resources to be made available for employees; any relevant certifications, and an optional diversity plan.
 - d. Submit attestation signed by a bona fide labor organization stating that the applicant has entered into a labor peace agreement. This requirement shall not apply to applicants for a conditional permit or for an entity that is a certified microbusiness.
 - e. Name and residence of all persons financially interested in the business, and the nature and extent of this interest; and if a corporation, the names, residences and citizenship of the officers, directors and stockholders, and shall disclose whether the applicant has been convicted or any criminal or quasi-criminal offense, and if so, date and place of such conviction and the nature of the offense.
 - f. Applicants shall provide a map of nearby cannabis establishments. Applicants shall indicate compliance with maximum number or separation distance requirements. A list of cannabis establishments shall be made available by the State Cannabis Regulatory Commission or the Borough Penns Grove Department of Planning and Development.

B. Cannabis Establishments possessing a valid Class 1, 2, 3, 4, 5 and 6 licenses and certified as a microbusiness shall be permitted conditional uses, as regulated herein. The Borough reserves the right to expand the list of cannabis establishment locations through amendment of its Borough Code. The Borough reserves the right to limit the number of cannabis establishment locations within any Zone of the Borough of Penns Grove.

1. The initial (non-refundable) application fee and annual license fee for this license shall be \$3,000 when attached to a Microbusiness license.
2. Outdoor cultivation is prohibited.
3. Cannabis Establishments subject to a Class 1 Cultivation license shall comport with the following:
 - (a) Cultivation in a greenhouse is a permitted conditional use. For the purposes of this ordinance, a greenhouse is defined as a permanent or temporary structure covered with translucent or transparent materials for the purpose of admitting natural light and controlling the atmosphere for growing plants.
3. Barbed wire or razor wire is prohibited..
4. All Cannabis Establishments shall demonstrate that conditions and safeguards are provided to mitigate any detrimental impacts to the public health, safety or general welfare of nearby residential uses.
5. The signage, bulk, coverage, and design regulations and standards of the zone in which the subject property is located shall apply. There shall be no obvious cannabis reference in language pertaining to signage. For the purposes of this Section, in instances where signage, bulk, coverage, and design regulations and standards are regulated by use or differentiated by use, the standards and regulations that are most restrictive but least intense shall apply to cannabis establishments.
6. Parking Requirements: Applicants must submit a parking plan consistent with existing code regulations for the Borough of Penns Grove.
7. Submittal requirements. Above and beyond the Application Checklist items, a conditional use application for a Cannabis Establishment shall include the following, as it relates to the manner of operation:
 - a. A community impact plan summarizing how the applicant intends to have a positive impact on the community in which the proposed cannabis establishment is to be located; which shall include an economic impact plan and a description of outreach activities.
 - b. A written description of the applicant's record of social responsibility, philanthropy, and ties to the proposed host community.
 - c. A workforce development and job creation plan, which may include information on the applicant's history of job creation and planned job creation at the proposed cannabis establishment; education, training and resources to be made available for employees; any relevant certifications, and an optional diversity plan.
 - d. Name and residence of all persons financially interested in the business, and the nature and extent of this interest; and if a corporation, the names, residences and citizenship of the officers, directors and stockholders, and shall disclose whether the applicant has been convicted or any criminal or quasi-criminal offense, and if so, date and place of such conviction and the nature of the offense.

- C. C. Microbusiness subject to a Class 5 (Cannabis Retailer) license shall be a permitted conditional use, as regulated herein. The Borough reserves the right to expand the list of cannabis establishment locations through amendment of its Borough Code. The Borough reserves the right to limit the number of cannabis establishment locations within any Zone of the Borough of Penns Grove.
1. The microbusiness shall be located wholly or partially within M1, COS and H-C/I Zones.
 2. The initial application fee and annual license fee for this license shall be \$5,000.00 when attached to a standard annual license and \$3,000 when attached to a Microbusiness license.
 3. Separation Distances and Location Maximums.
 - a. Cannabis establishments subject to a Class 5 license shall be at least two hundred (200) feet from any school identified on the Borough's Official Drug Free School and Park Zones Map, pursuant to Borough Penns Grove Borough Code and pursuant to regulations and definitions in N.J.S.A. 2C:35-7 et seq., and N.J.S.A. 2C:35-7.1 et seq. Distance is measured from the parcel boundary on which the School is located.
 4. The signage, bulk, coverage, design standards, loading, and parking regulations and standards of the zone in which the subject property is located shall apply. There shall be no obvious cannabis reference in language pertaining to signage. For the purposes of this Section, Cannabis Establishments with a valid class 5 license shall comport with regulations related to Retail Sales of Goods and Services.
 5. Submittal requirements. In addition to the Application Checklist items, a conditional use application for a Cannabis Establishment shall include the following, as it relates to the manner of operation:
 - a. A community impact plan summarizing how the applicant intends to have a positive impact on the community in which the proposed cannabis establishment is to be located, which shall include an economic impact plan and a description of outreach activities.
 - b. A written description of the applicant's record of social responsibility, philanthropy, ties to the proposed host community.
 - c. A workforce development and job creation plan, which may include information on the applicant's history of job creation and planned job creation at the proposed cannabis establishment; education, training and resources to be made available for employees; any relevant certifications, and an optional diversity plan.
 - d. Submit attestation signed by a bona fide labor organization stating that the applicant has entered into a labor peace agreement. This requirement shall not apply to applicants for a conditional permit or for an entity that is a certified microbusiness.
 - e. Name and residence of all persons financially interested in the business, and the nature and extent of this interest; and if a corporation, the names, residences and citizenship of the officers, directors and stockholders, and shall disclose whether the applicant has been convicted or any criminal or quasi-criminal offense, and if so, date and place of such conviction and the nature of the offense.

D. D. Cannabis Establishments subject to a Class 5 (Cannabis Retailer) license, which do not classify as a Microbusiness, shall be a permitted conditional use, as regulated herein. The Borough reserves the right to expand the list of cannabis establishment locations through amendment of its Borough Code. The Borough reserves the right to limit the number of cannabis establishment locations within any Zone of the Borough of Penns Grove.

1. The Cannabis Establishment shall be located wholly or partially within the M1, COS and H-C/I Zones.
2. The initial application fee and annual license fee for this license shall be \$5,000.00 when attached to a standard annual license and \$3,000 when attached to a Microbusiness license.
3. Separation Distances.
 - a. Any Cannabis Establishment subject to a class 5 license shall be at least two hundred (200) feet from any school (including licensed day care facilities) identified on the Borough's Official Drug Free School and Park Zones Map, pursuant to the Penns Grove Borough Code and pursuant to regulations and definitions in N.J.S.A. 2C:35-7 et seq., and N.J.S.A. 2C:357.1 et seq. A copy of said map may be made available by the Borough Clerk, Distance is measured from the parcel boundary on which the School is located.
4. The signage, bulk, coverage, design standards, loading, and parking regulations and standards of the zone in which the subject property is located shall apply. There shall be no obvious cannabis reference in language pertaining to signage. For the purposes of this Section, Cannabis Establishments subject to a Class 5 license shall comport with regulations related to Retail Sales of Goods and Services.
5. Hours of Operation for retailers shall be from 8:00 am to 10:00 am from Monday through Friday for Medical Sales and from 10:00 am to 10:00 pm Monday through Friday for all sales. Saturday and Sunday hours shall be from 8:00 am to 10:00 pm.
6. Submittal requirements. Above and beyond the General Development Application Checklist items, a conditional use application for a Cannabis Establishment shall include the following, as it relates to the manner of operation:
 - a. A community impact plan summarizing how the applicant intends to have a positive impact on the community in which the proposed cannabis establishment is to be located: which shall include an economic impact plan and a description of outreach activities.
 - b. A written description of the applicant's record of social responsibility, philanthropy, and ties to the proposed host community..
 - c. A workforce development and job creation plan which may include information on the applicant's history. of job creation and planned job creation at the proposed cannabis establishment; education, training and resources to be made available for employees; any relevant certifications, and an optional diversity plan.
 - d. Submit attestation signed by a bona fide labor organization stating that the applicant has entered into a labor peace agreement. This requirement shall not apply to applicants for a conditional permit or for an entity that is a certified microbusiness.
 - e. Applicants shall provide a map of nearby cannabis establishments. Applicants shall indicate compliance with maximum number or separation

distance requirements. A list of cannabis establishments shall be made available by the State Cannabis Regulatory Commission or the Borough of Penns Grove, Department of Planning and Development.

- f. Name and residence of all persons financially interested in the business, and the nature and extent of this interest; and if a corporation, the names, residences and citizenship of the officers, directors and stockholders, and shall disclose whether the applicant has been convicted or any criminal or quasi-criminal offense, and if so, date and place of such conviction and the nature of the offense.

E. Cannabis Consumption Areas: Standards and Endorsement Requirements.

The Borough reserves the right to expand the list of cannabis establishment locations through amendment of its Borough Code. The Borough reserves the right to limit the number of cannabis establishment locations within any Zone of the Borough of Penns Grove.

1. The Borough of Penns Grove may authorize the operation of legally endorsed cannabis consumption areas that are:
2. Operated by medical cannabis dispensaries, including any alternative treatment centers deemed to hold a medical cannabis dispensary permit pursuant to N.J.S.A. 24:6I-7 and clinical registrants within its jurisdiction, at which areas the on-premises consumption of medical cannabis may occur;
3. Operated by Class 5 adult use cannabis retailers within its jurisdiction, at which areas the on-premises consumption of personal use cannabis may occur; or
4. Operated by medical cannabis dispensaries, including, any alternative treatment centers deemed to hold a medical cannabis dispensary permit pursuant to N.J.S.A. 26:6I-7 within its jurisdiction that are also deemed to have, pursuant to that section, one or more Class 5 Cannabis Retailer licenses and for which the commission has correspondingly issued one or more licenses following receipt of the Borough's and the Commission's approval to operate as a cannabis retailer, or medical cannabis dispensaries and alternative treatment centers otherwise issued a license by the Commission, to simultaneously operate as a cannabis retailer, at which areas the on-premises consumption of both medical cannabis and personal use cannabis items may occur.

F. Local Endorsement is required.

1. No cannabis consumption area may be operated within the Borough Penns Grove without endorsement from the State of New Jersey and the Borough of Penns Grove.
2. A Cannabis Consumption Area License is required and may be renewed annually.
3. The Borough of Penns Grove shall notify the State of its endorsement and approval of the Cannabis Consumption Area License.

G. Cannabis Consumption Area License.

1. Shall be granted by the appropriate Borough Department and shall be valid for one (1) year.

2. The initial (non-refundable) application fee and annual license fee for this license shall be \$5,000.00 when attached to a standard annual license and \$3,000 when attached to a Microbusiness license.
3. The Borough of Penns Grove may approve the license, however the license will not be issued or become effective until the applicant can show proof of State endorsement and site plan approval and zoning approval, if required.
4. Applications shall contain the following:
 - a. Name and residence of all persons financially interested in the business, and the nature and extent of this interest; and if a corporation, the names, residences and citizenship of the officers, directors and stockholders, and shall disclose whether the applicant has been convicted of any criminal or quasi-criminal offense, and if so, date and place of such conviction and the nature of the offense.
5. Odor mitigating practices
 - a. A description of the proposed location, including the surrounding area and the suitability of advantages of the proposed location, along with a floor plan and optional rendering or architectural or engineering plans.
6. All relevant land use approvals, including approved site plans must include:
 - a. Safety and security plans and procedures shall be approved by the Borough Penns Grove.
7. Any other documentation and information that the Borough deems necessary. Note that the Borough reserves the right to inspect the premises for compliance with relevant laws and regulations.
8. Hours of operation
 - a. Indoor cannabis consumption areas shall be permitted to operate daily between the hours of 8:00 am to 1:00 am, the following day.
 - b. Outdoor cannabis consumption areas shall be permitted to operate daily between 10:00 am and 1:00 am, the following day.
 - c. Cannabis consumption areas must comply with the odor and security requirements set forth in this article.
 - d. All cannabis consumption areas must be designated by conspicuous signage, which shall indicate whether the consumption area may be used for the on-premises consumption of medical cannabis, personal use cannabis items, or both.
9. Cannabis Consumption Areas are a permitted conditional use subject to the following conditions and as regulated herein:
 - a. Compliance with applicable conditional use requirements, of this section, for a microbusiness subject to a Class 5 license or for a Cannabis Establishment subject to a Class 5 license, except that the following conditions shall supplement or supersede.
 - b. An applicant already has a Class 5 license approved by the Borough Penns Grove and the State Cannabis Regulatory Commission or is concurrently seeking conditional use approval as Cannabis Establishment subject to a Class 5 license.
 - c. Standards for indoor Cannabis Consumption Areas:
 1. An indoor Cannabis Consumption Area 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 et seq.).

10. Hours of operation in compliance with licensing laws of the Borough.
 - a. Standards for outdoor Cannabis Consumption Areas:
 1. An outdoor Cannabis Consumption Area shall be an exterior structure on the same premises as the medical cannabis dispensary, clinical registrant facility, or cannabis retailer, that is either separate from or connected to the dispensary, facility, or retailer, and that is not required to be completely enclosed, but shall have sufficient walls, fences, or other barrier to prevent any view of patients consuming medical cannabis or person consuming personal use cannabis items within the consumption area from any sidewalk or other pedestrian or non-motorist right-of-way, as the case may be. Operators of an outdoor consumption area shall ensure that any smoking, vaping, or aerosolizing of medical cannabis or personal use cannabis items that occur in an outdoor Cannabis Consumption Area does not result in migration, seepage, or recirculation of smoke or other exhaled material to any indoor public place or workplace as those terms are defined in section 3 of P. ".2005 c.383 (C.26:3D-57). The Borough may require an outdoor consumption area to include any ventilation features as the Borough deems necessary and appropriate.
 2. An outdoor Cannabis Consumption Area shall not be collocated with any residential use in the same structure or on the same lot, unless located on a rooftop.
 3. Hours of operation. Outdoor consumption areas shall not operate earlier than 10:00 am or later than 1:00 am.
 4. Additional standards for outdoor Consumption Areas on rooftops:
 - i. Buffer. The roof or rooftop deck where an outdoor Cannabis Consumption Area is proposed shall be at least fifty (50) feet from any window on an adjacent structure. Distance is measured from the extents of the outdoor Cannabis Consumption Area to adjacent windows.
 5. Additional standards for outdoor Consumption Areas in yards:
 - i. Separation Distance. Outdoor Cannabis Consumption Areas located in yards shall be at least two hundred (200) feet from any school as measured from the parcel line,
 - ii. Buffer. An outdoor Cannabis Consumption Area located in yards shall be setback from any property line by a minimum of fifteen (15) feet. In addition to walls or fences, the setback area shall include a landscaped buffer.

H. Proof required for Local Support.

1. Any request for resolution of local support, pursuant to N.J.S.A. 24:6I-7.2, shall include a concept plan indicating how the applicant intends on complying with the Borough's zoning, site plan and licensing requirements.

2. A resolution of local support does not constitute final approval for local licensure. A local license shall only be granted as set forth in Borough Code.

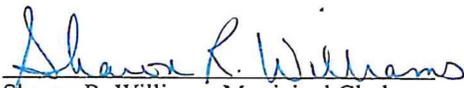
3. The Borough shall consider proposals for a resolution for local support in the order that the proposals are submitted.

Section 4. Any Ordinances or parts thereof inconsistent herewith shall be amended and supplemented to conform to the provisions contained herein.

Section 5. If any part of this Ordinance is declared unconstitutional or illegal by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

Section 6. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey, following the required twenty (20) day period after adoption, as set forth in N.J.S.A. 40:69A-181 (b).

ATTEST:


Sharon R. Williams, Municipal Clerk


LaDaena D. Thomas, Mayor

Intro:

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Scott, Pres. A			X			
Carter	X		X			
Marinero			X			
Rambo			X			
Scott, D		X	X			
Worley			X			

Notice: The above ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on September 5, 2023 and will be considered for final passage at a meeting to be held by the Mayor and Council at Borough Hall, Broad Street and State Street, Penns Grove, New Jersey on October 3, 2023 at which time any interested person will be given an opportunity to be heard.

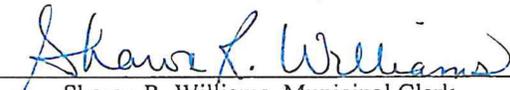

Sharon R. Williams, Municipal Clerk

FINAL:

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Scott, Pres. A		X	X			
Carter						X
Marinaro	X		X			
Rambo			X			
Scott, D			X			
Worley			X			

Notice:

The ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on September 5, 2023 and was adopted, after a public hearing was held by the Mayor and Council at Borough Hall, 1 State Street, Penns Grove, New Jersey on October 3, 2023.


Sharon R. Williams, Municipal Clerk