

PUBLIC NOTICE is hereby given that the ordinance set forth below was introduced at a meeting of the Township Committee of the Township of Union in the County of Union, held on July 24, 2018 and that said ordinance will be further considered for final passage at a meeting of the Township Committee at the Municipal Building, 1976 Morris Avenue, Union, New Jersey on August 28, 2018 at 7:30 o'clock P.M., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning this ordinance. During the week prior to and up to the time for final passage, copies of said ordinance will be available in the Municipal Clerk's office, at no cost, in said Municipal Building, to the members of the general public who shall request a copy of same. This ordinance will also be posted outside the Municipal Clerk's office, as required by law.

EILEEN BIRCH
Township Clerk

AN ORDINANCE AMENDING SECTION 170-123 OF THE LAND USE CODE ENTITLED "PROHIBITED USES" OF THE TOWNSHIP OF UNION (This ordinance prohibits the sale and manufacture of recreational and medicinal marijuana in all zoning districts and permits medicinal marijuana dispensaries in the BC District only)

WHEREAS, it is the purpose of the Township Committee to maintain safety and aesthetics within the Township of Union, and

WHEREAS, the Township Committee recognizes that in the near future the sale and possession and manufacture of recreational marijuana might be legalized in the State of New Jersey, and

WHEREAS, the Township Committee as a paramount duty must consider the impact of such legalization on the public safety, health and welfare of its residents, and

WHEREAS, the Township Committee hereby considers this Ordinance to address its concerns that people drawn to the area for the specific purpose to experience recreational marijuana, for handling, distribution, or use, not to mention those that would overuse the products might cause a substantial negative impact to the Township, including but not limited to

situations of intoxication, impairment, and disruption caused from usage of the product, and the ill effects derived from people disseminating upon the area for that specific purpose, and

WHEREAS, the concerns due to the possible negative impact derived from such activity and usage once the lure of obtaining recreational marijuana becomes legal, and the products become available is paramount, not only to avoid a substantial disruption to the Township's vibrant retail and business districts through increased traffic and potential for melee, but especially the burden to the residential areas since people would need to traverse to and through the area to satisfy their desires as it pertains to using recreational marijuana, thus supporting that the ban would be properly applicable to the Township as a whole, and

WHEREAS, the Township Committee does realize that a benefit exists from proper distribution of medicinal marijuana, for which an exception to the total ban for that specific purpose would be deemed proper, as limited to the BC Business – Retail Zoning District.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, in the County of Union, State of New Jersey, that Section 170-123 of the Land Use Chapter of the Code of the Township of Union is hereby amended and supplemented as follows:

Section 1. Chapter 170-123 shall be amended to add the following:

1. K. The operation of recreational or medicinal marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores, except that a medicinal marijuana dispensary as defined in this code and is distinguished shall be permitted in the BC District only, provided that:
 - a. No medicinal marijuana dispensary may be located within 3,500 feet of a lawfully existing one.
 - b. No medicinal marijuana dispensary shall be located within 1,500 feet of the RA Zone or RM Zone. This prohibition shall not apply to the RA Zone that contain wetlands.

Section 2. This Ordinance shall become effective immediately after publication in the manner provided by law. If any section, subsection, part, sentence, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, sentence, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

PASSED AND APPROVED: August 28, 2018

ATTEST:



Eileen Birch
Township Clerk

TOWNSHIP OF UNION IN THE
COUNTY OF UNION

By: 

SUZETTE CAVADAS, Chairman of
the Township Committee

APPROVED AS TO FORM BY:
Daniel Antonelli, Township Attorney