

ORDINANCE NO. 20-2019

BOROUGH OF ROSELAND  
COUNTY OF ESSEX, STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXX  
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH  
OF ROSELAND ENTITLED "LAND DEVELOPMENT"

WHEREAS, the Mayor and Council of the Borough of Roseland wish to amend Section 30-202 entitled "Definitions" and to add a section entitled Section 30-404.7 "Prohibited Uses-All Zones" within the Revised General Ordinances of the Borough of Roseland;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roseland that Chapter XXX of the Revised General Ordinances of the Borough of Roseland entitled "Land Development" shall be amended to add the following **thus**:

**SECTION I**

**30-202 DEFINITIONS.**

**Electronic Smoking Device means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo or pipe.**

**Liquid Electronic Smoking Solution means any solution which is designed or sold for use with an electronic smoking device.**

**Liquid Electronic Smoking Solution Container means a bottle or other container of liquid, wax, gel or other substance, where the liquor or other contained substance is sold, marketed or intended for use in a vapor product that does not include containers prefilled and sealed by the manufacturer and not intended to be opened by the consumer.**

**Vapor Product means any non-combustible product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce a vapor from a solution or any form, including any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device, and any vapor cartridge or other container in the a solution or other form intended to be used with, or in, any such device.**

**30-404.7 PROHIBITED USE – ALL ZONES**

**No land or building in any zoning district within the Borough of Roseland shall be used or allowed to be used for the retail sale of or service of electronic smoking devices,**

**liquid electronic smoking solutions, liquid electronic smoking containers or vapor products.**

**SECTION II**

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**SECTION III**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION IV**

This ordinance shall take effect in accordance with applicable law.

DATE OF INTRODUCTION: July 16, 2019

Motion to Introduce by: Councilwoman Fishman

Motion Seconded by: Councilman Bardi

Introduction Approved: 6-0 Voice Vote

DATE OF ADOPTION:

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi							
Councilwoman Fishman							
Councilman Freda							
Councilman Jacobs							
Councilman Leonard							
Councilwoman Tolli							
Mayor Spango (In case of tie)							
			VOTE:				

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
James R. Spango, Mayor

\_\_\_\_\_  
Jock H. Watkins, Borough Clerk

Date of Publication: