

**ORDINANCE NO. 24-2019**

**BOROUGH OF ROSELAND  
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 30  
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH  
OF ROSELAND ENTITLED “LAND DEVELOPMENT”**

**WHEREAS**, N.J.S.A. 40:55D-1 et seq. authorizes local governmental units to adopt ordinances that regulate land use to promote the public health, safety morals, and general welfare; and

**WHEREAS**, the Borough of Roseland regulates land use and zoning by and through Chapter 30 of the Borough Code; and

**WHEREAS**, the Borough of Roseland finds that it is in the best interest of the residents to amend Chapter 30 of the Borough Code to prohibit retail or wholesale establishments, businesses, persons or entities from selling or offering to sell marijuana or marijuana products, for medicinal or recreational use, or paraphernalia that facilitates the use of marijuana and to further prohibit the growing, cultivation or harvesting of any type of marijuana plant within the Borough; and

**WHEREAS**, the Mayor and Council of the Borough of Roseland wish to add a section entitled Chapter 30-404.8 “Prohibited Use Marijuana -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 30 of the Revised General Ordinances of the Borough of Roseland entitled “Land Development” shall be amended as follows:

**30-404.8 PROHIBITED USE MARIJUANA– ALL ZONES**

Retail or wholesale establishments, businesses, persons or entities (i) selling or offering for sale (a) marijuana or marijuana products, whether for medicinal and/or recreational use or (b) paraphernalia that facilitates any use of marijuana, including, but not limited to inhalation, ingestion or injection of any substance which contains or is derived from marijuana and/or (ii) growing, cultivating or harvesting any type of marijuana plant, including, but not limited to cannabis stiva, cannabis indica, and cannabis ruderalis are prohibited in all zones within the Borough of Roseland.

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All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.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

Motion to Introduce by:  
Motion Seconded by:  
Introduction Approved:

DATE OF ADOPTION:

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi							
Councilwoman Fishman							
Councilman Freda							
Councilman Jacobs							
Councilwoman Perrotti							
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: