ORDINANCE 2017-30
AN ORDINANCE OF THE BOROUGH OF POINT PLEASANT BEACH, COUNTY OF
OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XIX OF THE BOROUGH
CODE ENTITLED “DEVELOPMENT”

WHEREAS, the Borough of Point Pleasant Beach, in the County of Ocean 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 selling medicinal and
recreational marijuana require special concern for security, and location; and

WHEREAS, the Borough desires to ensure that such facilities are not allowed within ¼
mile of a school or church, or in the General Commercial, Marine Commercial, or any residential
zone; and

WHEREAS, there is no area of the Borough which can safely house a business selling
medicinal and recreational marijuana and/or the paraphernalia that facilitates the use of such
marijuana.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of
Point Pleasant Beach, in the County of Ocean and State of New Jersey, as follows:

SECTION I.

Chapter XIX of the Borough Code, at Section 19-5 entitled “Prohibited Uses” is hereby
amended to include adding to the list of banned uses a new subsection “z” as follows:

z. Businesses selling medicinal and recreational marijuana and/or the
paraphernalia that facilitates the use of such marijuana.

SECTION II.

All ordinances or parts thereof, which are inconsistent with the provisions of this
Ordinance, are hereby repealed to the extent of their inconsistencies.

SECTION III.
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.

SECTION IV.
This Ordinance shall be subject to review and recommendation by the Borough Planning Board in accordance with N.J.S.A. 40:55D-26.

SECTION V.
The County Planning Board shall be provided notice of this proposed ordinance in accordance with N.J.S.A. 40:27-6.10.

SECTION VI.
This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Ocean County Planning Board.

Approved this ___ day of ________, 2017:

________________________________________
Borough of Point Pleasant Beach
Stephen D. Reid, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and approved on first reading at the regular meeting of the Governing Body of the Borough of Point Pleasant Beach, in the County of Ocean, held on the 5th day of December, 2017 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 19th day of December, 2017 at 7:30 p.m. in the Council Chambers, Borough Hall, 416 New Jersey Avenue, Point Pleasant Beach, New Jersey, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

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EILEEN FARRELL, RMC
Municipal Clerk