

**TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY**

ORDINANCE #18-28

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 16.64 OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF RARITAN ENTITLED "GENERAL DESIGN
AND USE REGULATION" BY AMENDING SUBSECTION C.
ENTITLED "PROHIBITED USES" OF SECTION 16.64.010
ENTITLED "SCHEDULE OF CONTROLS"**

WHEREAS, the Township of Raritan has the authority, under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., and under the general police powers set forth in N.J.S.A. 40:48-1, et seq., to regulate land uses within its municipal boundaries; and

WHEREAS, the Township Committee of the Township of Raritan has determined that businesses selling and growing marijuana carry with them special concerns relative to security and location; and

WHEREAS, the Township Committee of the Township of Raritan desires to ensure that such facilities that cultivate, manufacture or dispense marijuana are not allowed within ¼ mile of a school, church or playground, or any commercial or residential zone; and

WHEREAS, there is no area of the Township which can safely house a business cultivating, manufacturing or selling marijuana and/or paraphernalia that facilitates the use of marijuana; and

WHEREAS, the Township Committee of the Township of Raritan believes that it is in the best interest of the health, safety and welfare of its residents that Title 16 of the Township's Code be amended to prohibit the operation of marijuana cultivation facilities, marijuana production or manufacturing facilities, marijuana testing facilities, and retail marijuana stores in all zone districts.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

Section 1. Chapter 16.64 entitled "General Design and Use Regulations" is hereby amended and supplemented through the revision of Subsection C. entitled "Prohibited Uses" of Section 16.64.010 entitled "Schedule of Controls" as follows:

1. Explosives manufacturing;
2. Petroleum refining;

3. Bulk storage of refinery products and raw materials in tanks for use on the premises or for resale, when inventoried in tankage exceeding the capacity as listed in Section 16.64.100.C;
4. Junkyards, auto wrecking or disassembly yards;
5. Retail, wholesale or auction sales of used motor vehicles, except as an accessory use as set forth in Section 16.68.060.E;
6. All billboards, signboards or advertising devices not expressly related to the business being conducted on the premises;
7. Landfills;
8. Collection bins of the type typically placed by organizations for the collection of used clothing, toys or other personal property; with the exception of the collection bins which the Township has placed at the Township Recycling Center for the orderly collection and disposition of such type of items[.]
9. Recreational and medical marijuana uses, such as, but not limited to, marijuana cultivation facilities, marijuana production or manufacturing facilities, marijuana testing facilities, and retail marijuana sales and dispensaries.

Section 2. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Hunterdon County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities.

The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this section, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 3. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Raritan for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 5. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

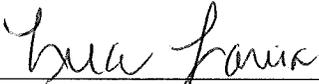
Section 6. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Hunterdon County Planning Board pursuant to N.J.S.A. 40:55D-16.

Note to Codifier: language in brackets [] is to be deleted from the original text. Underlined language is new language to the original text.

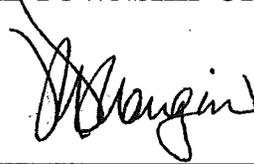
DATE ADOPTED: November 7, 2018

ATTEST:

**TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF RARITAN**



Lisa Fania, RMC
Township Clerk



Michael Mangin
Mayor