

AMENDING CHAPTER 170 OF THE CODE OF CITY OF EGG HARBOR, §170-81.5 (5) D AND §170-81.5(1) AND ENACTING §170.81.5(9)

WHEREAS, the Council of the City of Egg Harbor adopted Ordinances 10-2021 and 15-2021 on August 12, 2021 and November 18, 2021, respectively establishing fees and procedures for Cannabis businesses in the City; and

WHEREAS, the Mayor and Council of the City of Egg Harbor which to maintain the health, welfare and safety of its residents; and

WHEREAS, pursuant to N.J.S.A. 40: 48-2, a municipality may amend an ordinance as it deems necessary and proper for good government, order and protection of persons and property and for the presentation of the public health, safety and welfare of its inhabitants.

NOW THEREFORE, BE IT ORDAINED that:

Section 1-§ 170-181.5 (5) D License is amended to read:

The Application Fee for all classifications of licenses, is \$2,500.00. The license must be renewed yearly at a fee of \$2,500.00 per year.

Section 2-§170-81.5 (9) shall be enacted as follows:

§170-81.5 (9) Consumption, Possession and Unregulated Sale

A. Prohibition in Public Places.

No person shall consume, smoke, use, vape, aerosolize, immobilize or possess in any open container any Cannabis or Cannabis product in any city park, lake area, recreation area and in any school and in any place that any other law prohibits the smoking of tobacco, including N.J.S.A. 2C:33-13 and the New Jersey Smoke-Free Air Act.” N.J.S.A. 26:3D-55 et seq.

B. Prohibition of Unregulated Sale of Cannabis

No person shall sell cannabis in the City without a state license and a City license.

C. Smoking Prohibited

Smoking of any kind is prohibited in any city park, lake area and recreation area.

Section 3-Section 170-81.5 (1) Definitions is amended as follows:

A. Tobacco Product

Any definition of tobacco product in the City Code is amended to include Cannabis and Cannabis Product.

B. Smoking

Any definition of smoking in the City Code is amended to include Cannabis and Cannabis Product.

Section 3. Repealer

Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. Severability.

In the event that any section, paragraph, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. Effective Date

This ordinance shall take effect upon proper publication and in accordance with law.

Enacted and Adopted: by the Common Council of the City of Egg Harbor this
__11th__ day of August, 2022.

Dated: August 11, 2022

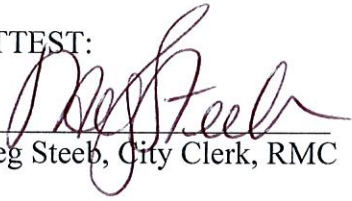
Introduced: July 14, 2002

Publication: July 20, 2022

Public Hearing: August 11, 2022

Adoption: August 11, 2022

ATTEST:


Meg Steeb, City Clerk, RMC


Lisa Jampetti, Mayor