

#22-30

**AN ORDINANCE BY THE TOWNSHIP OF NORTH BRUNSWICK IN
MIDDLESEX COUNTY, NEW JERSEY AMENDING CHAPTER 205, "LAND USE"
OF THE CODE OF THE TOWNSHIP OF NORTH BRUNSWICK,
ARTICLE XXIIA "CANNABIS OVERLAY ZONE REGULATIONS" IN SUPPORT OF
THE EXPANSION OF EXISTING ALTERNATIVE TREATMENT CENTERS**

WHEREAS, the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, adopted Ordinance 21-23 on November 15, 2021, and Ordinance 22-11 on May 31, 2022, which permit the operation of all classes of cannabis licensed businesses within certain designated areas of its geographical boundaries; and

WHEREAS, the State of New Jersey's Medicinal Cannabis Program helps registered patients under the care of licensed medicinal practitioners safely access cannabis-based medicine at state-licensed Alternative Treatment Centers (ATCs); and

WHEREAS, the New Jersey Cannabis Regulatory Commission ("CRC") is charged with overseeing and regulating the legal cannabis industry in New Jersey, including the expansion of existing ATC's, and NJAC 17:30-7.1 (a) states that "pursuant to N.J.S.A. 24:6I-46.a(e)(a)(ii), the Commission shall not require a full application pursuant to N.J.A.C. 17:30-7.10 from an ATC in order for the ATC to begin engaging in the cultivation, manufacturing, retailing, wholesaling, distributing, or delivery of cannabis items, as applicable."; and

WHEREAS, in support of this regulation there is a desire to amend the local application process to permit the expansion of an existing licensed ATC by not requiring a license in order for the application to be deemed complete.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, that § 205-92.13, Application and Limitation on Number of Licenses, be amended and supplemented as follows:

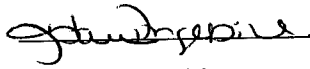
205-92.13 Application and Limitation on Number of Licenses.

The Administrative Officer shall reject as incomplete, and without any further review, any conditional use application for a cannabis business that is not supported by a cannabis license issued by the State of New Jersey, except those applications from a licensed Alternative Treatment Center which shall be eligible for a Class 5 License pursuant to N.J.A.C. 17:30-7.1 and accordingly be deemed complete without the submission of license at the time of application.

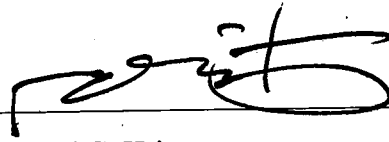
BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

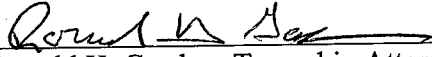
BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.



Justine Progebin
Business Administrator



Michael C. Hritz
Director of Community Development



Ronald H. Gordon, Township Attorney
(Approved as to legal form)

RECORDED VOTE FIRST READING: 11-14-22

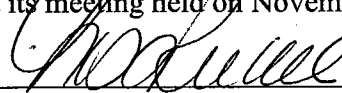
COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON	✓			
MEHTA	✓			
GUADAGNINO	A			
ANDREWS 2	✓			
SOCIO 1	✓			
DAVIS	✓			
MAYOR WOMACK				

RECORDED VOTE SECOND READING: 11-28-22

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON	✓			
MEHTA	✓			
GUADAGNINO	✓			
ANDREWS 1	✓			
SOCIO 2	✓			
DAVIS	✓			
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on November 28, 2022.




Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication in accordance with applicable law.

- APPROVED
- REJECTED



Francis M. Womack III, Mayor
Township of North Brunswick

Date Signed: November 28, 2022