

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No. 22-018

1ST READING May 3, 2022
2ND READING & PUBLIC HEARING May 17, 2022
WITHDRAWN _____ LOST _____

DATE TO MAYOR _____
DATE RESUBMITTED TO COUNCIL _____
DATE EFFECTIVE _____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART III, LAND USE LEGISLATION, CHAPTER 550, LAND DEVELOPMENT, ARTICLE IV, GENERAL REGULATIONS AND DESIGN STANDARDS, § 550-143, CANNABIS AND MEDICAL CANNABIS ESTABLISHMENTS

Be It Ordained by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of the Township of Hamilton, New Jersey, Chapter 550, Land Development, Article IV, General Regulations and Design Standards*, as amended and supplemented, be further amended and supplemented as follows:

Chapter 550

LAND DEVELOPMENT

ARTICLE IV. GENERAL REGULATIONS AND DESIGN STANDARDS

§ 550-143. Cannabis and Medical Cannabis Establishments

A. In addition to all other applicable land use regulations and design standards articulated in this Article, no person or entity may conduct cannabis establishments, cannabis delivery services or medical cannabis establishments, as defined in Chapter 153 without first obtaining:

E. Cannabis and Medical Cannabis Establishments shall be permitted, pursuant to this Chapter, only if the following requirements are met:

- (5) No Cannabis Establishment, [Cannabis Retailer,] Cannabis Delivery Service, Medical Cannabis Establishment or Medical Cannabis Dispensary shall be located within 1,000 feet measured by walking legally from door to door to any school. [, nor shall the] No cannabis establishment, cannabis delivery service, medical cannabis establishment or medical cannabis dispensary shall be located within [a] 500 feet [radius] measured by walking legally from door to door of the cannabis or medical establishment, and/or dispensary to [from] any [school,] recreation center, child care establishment, house of worship, residence located within an R-zone, or the property line of the public park. In addition, [the] all cannabis and medical cannabis establishments, retailers and/or dispensar[y]ies, shall erect physical barriers to block sight lines from the schools, recreation centers, child care establishments, houses of worship, residence or public parks.

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- (6) No Cannabis Establishment, Cannabis Delivery Service, Medical Cannabis Establishment or Medical Cannabis Dispensary [Cultivators; Cannabis Manufacturers; Cannabis Wholesalers; and/or Cannabis Distributors] shall be located within a 250 foot radius, measured from any exterior wall of the cannabis premises to any exterior wall of [from] any school, [nor shall the establishment be located within a 250 foot radius from any] recreation center, child care establishment, house of worship, or measured from any exterior wall of the cannabis premises to the property line of a playground or public park.

§ 550-144 through § 550-160. (Reserved)

Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.	✓					✓	ANTHONY P. CARABELLI, JR.						
PASQUALE "PAT" PAPERIO, JR.	✓						PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.	✓				✓		RICHARD L. TIGHE, JR.						
CHARLES F. WHALEN	✓						CHARLES F. WHALEN						
NANCY PHILLIPS				✓			NANCY PHILLIPS						

X - Indicates Vote A.B. - Absent N.V. - Not Voting ORD. - Moved SEC. - Seconded

REJECTED _____

JEFFREY S. MARTIN, MAYOR

DATE _____

APPROVED _____

RECONSIDERED BY COUNCIL _____ OVERRIDE VOTE AYE _____ NAY _____