

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2024-18

AN ORDINANCE OF THE TOWNSHIP OF LAFAYETTE, SUSSEX COUNTY, NEW JERSEY AMENDING AND MODIFYING CHAPTER 13, SPECIFICALLY 13-14(b)(9), REGULATIONS GOVERNING CONDITIONAL USES SPECIFIC TO CANNABIS GROWING, PRODUCTION AND MANUFACTURING IN THE R-5.0 ZONE ONLY

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of Cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act created the Cannabis Regulatory Commission (the “CRC”) and granted that commission the authority to enact rules and regulations regarding the operation of different types of Cannabis establishments throughout the State; and

WHEREAS, in furtherance of the Act, the Township of Lafayette (the “Township”) by Township Ordinance No. 2018-18, adopted municipal zoning and conditional use requirements for Cannabis Growing, Production and Manufacturing Facilities in the Township’s R-5.0 Zone District (the “R5 Zone”), now codified in the Revised General Ordinance of the Township of Lafayette (the “Township Code”) at Chapter 13, Section 14(b)(9) of the Township Code (the “Cannabis Zoning Ordinance”); and

WHEREAS, the Township seeks to amend the security subsection of the Cannabis Zoning Ordinance at Chapter 13, Section 14(b)(9)(f), as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey, as follows:

SECTION 1. Chapter 13-14(b)(9), Regulations Governing Conditional Uses Specific to Cannabis Growing, Production and Manufacturing, in the R-5.0 Zone Only, of the Township of Lafayette is hereby amended at subsection (f), Security, as follows:

9. Cannabis Growing, Production and Manufacturing, in the R-5.0 Zone only.
 - (f) Security: All structures shall be designed, using safety and security barriers to prevent the unlawful and unauthorized entry into the structures.
 - (1) There shall be no direct sales to the public from the property.
 - (2) There shall be controlled access to the site, with on-site video monitoring in conformance with the requirements set forth by the New Jersey Cannabis Regulatory Commission (“CRC”).
 - (3) All video monitoring shall be as required by the CRC and the retention and availability of all footage shall be as required by the CRC. Footage shall be provided to the appropriate Township Official of the NJ State Police Augusta Barracks in accordance with Chapter 15 of the Township Code.
 - (4) The Township Land Use Board may, at the time of site plan approval or amendment, impose any condition related to the proposed use that is reasonably necessary to protect the public health, safety, or welfare, not inconsistent with the permitting authority requirements, including, but not limited to the following:
 - i. Additional security requirements
 - ii. Limits and requirements on parking and traffic flows

- iii. Requirements for walls, doors, windows, locks, and fences
- iv. Requirements and limits on ventilation and lighting
- v. Limits on hours of operations
- vi. Requirements for vegetative screening

SECTION 2. Any article, section, paragraph, subsection, clause, or other provision of the Township Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 4. This ordinance shall take effect upon its passage and publication and filing with the Sussex County Planning Board, and as otherwise provided for by law.

NOTICE

The above entitled Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting on August 6, 2024 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on September 3, 2024.

Mayor:

Municipal Clerk: