

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

ORDINANCE No. 21-08

**AN ORDINANCE RESTRICTING THE SALE OF MARIJUANA AND
RELATED PRODUCTS WITHIN THE TOWNSHIP OF WASHINGTON**

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 580 of the Code of the Township of Washington ("Zoning") is hereby amended by adding § 580-11.1 thereto which provides as follows:

1.

"

§ 580-11.1 Prohibition of sale of marijuana and vaping products and related paraphernalia in all zones.

A. In every zoning district referred to in this Chapter 580 or otherwise in the Township, no land or building shall be used or allowed to be used for the sale or distribution of marijuana (cannabis) products, including, but not limited to, tetrahydrocannabinol ("THC") oil and derivatives, hashish, adulterants and dilutants, which includes retail and wholesale marijuana stores, retail and wholesale marijuana cultivation facilities, retail and wholesale marijuana products manufacturing facilities, retail and wholesale marijuana testing facilities, and the operation of retail and wholesale marijuana lounges or social clubs. All activities related to the abovementioned retail and wholesale uses, such as, but not limited to, cultivation, possession, extraction, manufacturing, processing, storing, laboratory testing, labeling, transporting, delivering, dispensing, transferring and distributing, are expressly prohibited within the Township.

B. In every zoning district referred to in this Chapter 580, no land or building shall be used or allowed to be used for the sale or distribution of "vaping products" (as defined herein), which includes the operation of retail and wholesale stores, lounges or social clubs. The term "vaping products" shall mean electronic/vapor inhalation substance products, cartridges, cartomizers, e-liquid, smoke juice, tanks, tips, atomizers, vaporizers, electronic smoking device batteries, electronic smoking device chargers, and any other item specifically designed for the preparation, charging, or use of

electronic vapor devices.

C. In every zoning district referred to in this Chapter 580, no land or building shall be used or allowed to be used for the sale or distribution of “marijuana-related paraphernalia” or “vaping paraphernalia” as said terms are defined hereafter:

1. “marijuana-related paraphernalia” shall mean:

a) rolling paper used to roll tobacco, marijuana, cigarettes or cigars;

b) hookahs, which includes pipes commonly, but not always, made of metal, wooden, acrylic, glass, stone, plastic, or ceramic with or without screens, permanent screens, hashish heads, or punctured metal bowls, used for vaporizing and smoking tobacco, flavored tobacco, non -flavored tobacco, shisha, dried fruits, cannabis or other substances in which vapor or smoke is passed through a water basin before inhalation.

2. “vaping-related paraphernalia” shall mean electronic vapor devices and includes any device with a heating element, a batter, or an electronic circuit that provides nicotine or other vaporized liquids to the user in a manner that simulates tobacco products, shisha, herbs, or any other product that produces smoke.”


2. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.

3. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.


4. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON



Susan Witkowski,
Township Clerk




Stacey Feeney
Council President

Introduction Date: May 3, 2021

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio			X				
DeSena			X				
Feeney	X		X				
Morgan		X	X				
Sears			X				

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON



Susan Witkowski,
Township Clerk



Stacey Feeney
Council President

Adoption Date: May 17, 2021

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio			X				
DeSena			X				
Feeney	X		X				
Morgan		X	X				
Sears			X				