

**BOROUGH OF OAKLAND
ORDINANCE NO. 18- CODE-767**

**AN ORDINANCE AMENDING THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF OAKLAND
CHAPTER 59, ARTICLE VII, SECTION 59-45, ENTITLED
"REGULATIONS APPLICABLE TO ALL ZONES" BY
ADDING SECTION "J".**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oakland as follows:

Section 1. Chapter 59, Article VII, Section 59-45, Regulations Applicable to All Zones, is hereby amended and supplemented by the addition of the following:

Section 59-45 General Use Restrictions.

- J. The operation of retail marijuana establishments, which includes retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities; and the operation of retail marijuana social clubs are prohibited within the Borough of Oakland and, therefore, all activities related to the abovementioned retail 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 Borough of Oakland.

Medical Use of Marijuana. This Ordinance shall not be construed to limit any privileges or rights of any qualifying patient, primary caregiver, registered or otherwise, or registered dispensary pursuant to the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1.


Section 2. All other provisions of Section 59-45, Regulations Applicable to All Zones, is hereby ratified and confirmed.

Section 3. Should any part, portion or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. This ordinance shall take effect immediately upon publication and final passage according to law.

ATTEST:


Lisa M. Duncan, Borough Clerk


Linda H. Schwager, Mayor

This is to certify that this is a true copy
as adopted by the Mayor and Council
of the Borough of Oakland at a meeting
held on October 24, 2018

Borough Clerk 