

**STATE OF NEW JERSEY**  
**COUNTY OF CAMDEN – BOROUGH OF TAVISTOCK**  
**ORDINANCE NO. 3-2024**

**AN ORDINANCE BY THE BOROUGH OF TAVISTOCK IN CAMDEN COUNTY, NEW JERSEY  
PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS  
GEOGRAPHICAL BOUNDARIES AND AMENDING AND SUPPLEMENTING THE UNIFIED  
DEVELOPMENT ORDINANCE BY ADDING SECTION 610**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**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 marijuana 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 establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

**WHEREAS**, the Mayor and Borough Commissioners of the Borough of Tavistock have determined that it is in the best interest of the health, safety and welfare of Borough of Tavistock’s residents and members of the public who visit, travel, or conduct business in Borough of Tavistock, to amend Borough of Tavistock’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of Borough of Tavistock; and

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Commissioners of the Borough of Tavistock, in the County of Camden, State of New Jersey, as follows:

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in Borough of Tavistock, except for the delivery of cannabis items and related supplies by a delivery service.

2. The United Development Ordinance is hereby amended and supplemented to add Section 610 as follows:

610. Cannabis Businesses – Prohibited - All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16 are hereby prohibited in all zoning districts of the Borough of Tavistock, except for the delivery of cannabis items and related supplies by a delivery service.”

3. Any article, section, paragraph, subsection, clause, or other provision of the Borough of Tavistock Ordinances inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. 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.

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

**BOROUGH OF TAVISTOCK**

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JOSEPH DEL DUCA, Mayor

ATTEST:

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DENISE K MOULES, Clerk

Introduction/First Reading  
Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Del Duca				
Commissioner Mack-Allen				
Commissioner Del Duca				

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**Public Hearing: June 25, 2024 at 6:00 p.m. via Virtual Commissioners Meeting**

**Adoption**

**Roll Call Vote:**

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Del Duca				
Commissioner Mack-Allen				
Commissioner Del Duca				

**CERTIFICATION**

**This Ordinance was introduced at a Meeting of the Mayor and Board of Commissioners of the Borough of Tavistock held on May 28, 2024 and after a public hearing, was finally adopted on June 25, 2024.**

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**Denise K. Moules**  
Clerk