

BOROUGH OF FOLSOM

ORDINANCE NO.: 05-2025

AN ORDINANCE AMENDING CHAPTER 200, ARTICLE XI OF THE CODE OF THE BOROUGH OF FOLSOM

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 Council of the Borough of Folsom adopted a cannabis ordinance # 09-2021 prohibiting Class 5 cannabis retailer businesses in RD (Rural Development) zones within the Borough; and

WHEREAS, the Council wish to amend the ordinance to limit the number of Class 5 retail licenses granted and businesses established in the Borough to three (3); and

WHEREAS, pursuant to N.J.S.A. 40:48-2. A municipality may amend an ordinance as it deems necessary and proper for good government, order and protection of persons and property and for the presentation of the public health, safety and welfare of its inhabitants; and

WHEREAS, the Council further wish to expand the revenue base for the residents of the Borough of Folsom.

NOW THEREFORE, BE IT ORDAINED, by the Council of the Borough of Folsom, in the County of Atlantic, State of New Jersey, as follows:

Section 1. Chapter 200, Article XI titled Cannabis Regulation is hereby amended as follows:

A. There shall be a limitation of three (3) establishments upon any Class 5, retail cannabis businesses within the Borough. Only three (3) Class 5 retail licenses shall be granted by the Borough.

Section 2. Repealer

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or other provision of the Code of the Borough of Folsom inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. Severability

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. Effective Date

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

Date:

ATTEST:

BOROUGH OF FOLSOM

By: _____
Patricia Gatto, Borough of Folsom Clerk

By: _____
Glenn Smith, Mayor

Introduced:

Adopted :

NOTICE is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Folsom, in the County of Atlantic, New Jersey, held on _____ 2025. It will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Municipal Building 1700 Route 54, Folsom, NJ 08037 on _____ 2025, at 6:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

Patricia Gatto, Clerk