

ORDINANCE NO. 2542

AN ORDINANCE AMENDING CHAPTER 21 OF THE COMPREHENSIVE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF OCEAN

WHEREAS, the Township Council of the Township of Ocean has previously established site standards for cannabis businesses in Chapter 21 of the Comprehensive Land Development Ordinance of the Township of Ocean under Section 21-39A, "CBO. Cannabis Business Overlay Zone," which include hours of operation for the sale of cannabis items; and

WHEREAS, the Township benefits from the sale of cannabis items based on the transfer tax imposed by the "Revised General Ordinances of the Township of Ocean, 1965" Section 13-5.1, which establishes a transfer tax at a rate of 2% of the receipts from each sale by a cannabis retailer; and

WHEREAS, neighboring towns have established hours that exceed the hours of operation set by Section 21-39A, which puts the cannabis retailers in the Township of Ocean at an operating disadvantage and at the risk of losing sales to cannabis retailers in such towns during such hours; and

WHEREAS, the Township Council desires to amend the hours of operation for cannabis retailers in order to level the playing field with cannabis retailers in neighboring towns.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey as follows:

SECTION I

Chapter 21- The Comprehensive Land Development Ordinance of the Township of Ocean is hereby amended and supplemented in Section 21-39A, "CBO. Cannabis Business Overlay Zone," to make the following changes (underlined to be added; ~~striketroughs~~ to be deleted):

§ 21-39A. CBO. CANNABIS BUSINESS OVERLAY ZONE.

e. Site Standards for Cannabis Businesses.

2. Hours of public operation shall be limited to 8:00 a.m. through 10:00 p.m. ~~8:00 p.m.~~ daily, Monday through Saturday. Hours of public operation shall be limited to between 10:00 a.m. and 7:00 p.m. ~~5:00 p.m.~~ on Sunday.

SECTION II

Except as modified herein, all provisions and terms of Section 21-39A shall remain the same.

SECTION III

All Ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed. If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph,

subparagraph, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV

This Ordinance shall take effect after final passage and publication in accordance with the law.

Record of Vote	Deputy Mayor Fisher	Councilman Acerra	Councilwoman Kaplan	Councilwoman Talarico	Mayor Napolitani
Motion To Approve	X				
Motion to Second			X		
Approved	X		X		X
Opposed				X	
Not Voting/Recuse					
Absent/Excused		X			

CERTIFICATION

*I hereby certify that this is a true copy of an Ordinance introduced by the Township of Ocean Governing Body at their meeting held on **May 14, 2026**.*

Jessie M. Joseph, RMC/CMC
Township Clerk