



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-21-06

AN ORDINANCE AMENDING CHAPTER 21, ARTICLE XIV, SECTION 21-74 OF THE BOROUGH CODE

WHEREAS, the Borough of Highlands had codified a ban on the sale of cannabis by Ordinance No. 19-01 which amended Chapter 21, Article XIV, Section 21-74 of the Code of the Borough of Highlands; and

WHEREAS, approximately seventy-six percent (76%) of Highlands voters who responded to the 2020 Election's Ballot Measure Question No. 1 voted affirmatively to legalize the recreational use of cannabis and allow for its cultivation, processing and sale; and

WHEREAS, as a result of the affirmative vote, the Borough of Highlands wishes to amend its Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

SECTION I.

Chapter 21, (Zoning and Land Use Regulations), Article XIV, Section 21-74 (Prohibited Uses), of the Code of the Borough of Highlands is amended to provide as follows: (All additions are shown in ***bold italics with underlines***. The deletions are shown as ***strikeovers in bold italics***).

21-74 PROHIBITED USES

Those uses not specifically permitted in a zone district are prohibited. Additionally, the following uses are specifically prohibited: adult entertainment, any accessory use with an establishment with a liquor license designed for use by minors, auctions or sales conducted outside a structure except when a private home is being cleaned or vacated or for the raising of funds for charitable institutions and done not more than twice a year for more than two (2) days duration, short- or long term storage of trucks or trailers for use as storage facilities, the keeping of farm animals, such as horses, cows, pigs, or fowl, ~~retail or wholesale establishments, businesses, persons or entities selling or offering for sale: (a) marijuana or marijuana products, whether for medicinal and/or recreational use; (b) paraphernalia that facilitates any use of marijuana, including but not limited to inhalation, ingestion or injection of any substance which contains or is derived from marijuana, (2) the growing, cultivation or harvesting of any type of marijuana plant, including but not limited to cannabis sativa, cannabis indica, and cannabis ruderalis.~~

SECTION II. SEVERABILITY. If any section, subsection, 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, which shall otherwise remain in full force and effect.

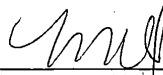
SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law and publication with the Monmouth County Planning Board.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN			X			
MAZZOLA				X		
MELNYK		X	X			
OLSZEWSKI			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: January 1, 2021

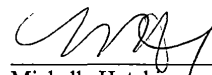


Michelle Hutchinson Acting Municipal Clerk
Borough of Highlands

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
MARTIN		X	X			
MAZZOLA				X		
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: February 17, 2021



Michelle Hutchinson Acting Municipal Clerk
Borough of Highlands



Carolyn Broullon, Mayor