

**AN ORDINANCE CONDITIONALLY PERMITTING CERTAIN CLASSES OF  
CANNABIS BUSINESSES TO LOCATE WITHIN SPECIFIED GEOGRAPHICAL  
BOUNDARIES OF THE TOWNSHIP OF WOOLWICH IN GLOUCESTER COUNTY,  
NEW JERSEY, ADDING ARTICLE V DISTRICT REGULATIONS, CHAPTER §203-  
39(2)(E) , ENTITLED CANNABIS BUSINESSES AND ADDING ARTICLE VII  
SUPPLEMENTAL USE CONTROLS, CHAPTER §203-76.4 CANNABIS  
REGULATIONS**

**2024-12**

WHEREAS, the Act provides, in relevant part, that a municipality may enact ordinances, not in conflict with the provisions of P.L.2021, c.16, governing the number of cannabis establishments, as well as the location, manner, and times of operation of cannabis establishments, and may establish civil penalties for violation of such an ordinance; and

WHEREAS, the Township of Woolwich wishes to further amend its ordinances to provide for the licensing of cannabis establishments in accordance with the Act; and

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Woolwich, in the County of Gloucester, State of New Jersey, as follows:

SECTION 1. Chapter 203, entitled “Zoning” of Article V, “District Regulations” of the “Township of Woolwich Municipal Code,” specifically §203-39(2)(e), “5A Five Acre Residential District” is hereby amended and supplemented as follows (All additions are shown with underlines. The deletions are shown as strikeovers): shall be amended to read as follows (additions are shown with underlines, deletions are shown as strikethroughs, sections that remain unchanged are omitted below):

(e) Cannabis Class 1 cultivation business subject to the special requirements of §203-76.4

SECTION 2. Chapter 203, entitled “Zoning” of Article VII, “Supplemental Use Controls” of the “Township of Woolwich Municipal Code,” specifically adding §203-78, “Cannabis Regulations” is hereby amended and supplemented as follows (All additions are shown with underlines. The deletions are shown as strikeovers): shall be amended to read as follows (additions are shown with underlines, deletions are shown as strikethroughs, sections that remain unchanged are omitted below):

§203-76.4 Cannabis Regulations

- A. The permitted conditional uses shall be subject to the following special requirements:
- (1) The cannabis cultivation business shall be duly licensed by the State of New Jersey with its license maintained in good standing.
  - (2) No vehicular access is permitted from residential streets.

- (3) Cannabis cultivation must be located on a minimum of sixty (60) acres of land, shall not be closer than 500 feet from a property line, and shall be located outdoor, except as provided in section 14, below.
- (4) No sign shall contain any visual representation of cannabis or associated paraphernalia nor shall Cannabis cultivators display advertisements for cannabis.
- (5) All licensed facilities shall submit a detailed security plan, which shall be subject to the review and approval of the Township's Chief of Police. Such plan should include measures and procedures designed to protect both tenants and the visitors from criminal activity, unsafe conditions and incidents of nuisance/harassment. Any approval granted may be rescinded at any time such plan fails to comply with the approved procedures of the security plan or which fails to provide adequate security and safety for tenants and visitors. The proposed security plan shall include at a minimum:
  - (a) a map of all points of public entry and a description of all security measures (e.g., locks, alarms, access keypads, security cameras, foot patrols) to restrict access by unauthorized persons;
  - (b) procedures for maintaining records which shall include the date and a detailed description of all incidents of suspected criminal activity/unlawful behavior, unauthorized access, assaults, threatening conduct or harassment and a detailed description of the action taken in response to each complaint;
  - (c) procedures for maintaining records of regular audits to ensure that the security plan is current and that procedures are being followed.
- (6) Any Class 1 cultivation businesses, covered from the elements, shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that any odor generated inside the facility is not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located within the same building as the licensed facility if the use only occupies a portion of a building. At no cost to the Township, odor from the facility shall be monitored by a qualified contractor chosen, on an annual basis, by the Township. Subject to the review of Township and JLUB professionals and State Department of Health approval, the Applicant shall provide standard operating procedures (including maintenance) for the odor mitigation and control system as well as a shutdown of the cannabis cultivation facility should the odor mitigation and control system fail. In the event the odor mitigation and control system in the facility fails, no additional cannabis plants, material or products shall be brought to the site and if the mitigation and control system remains shut down for a period of 72 hours, all cannabis plants, material or products shall be removed immediately.
- (7) All licensed facilities shall be subject to the maximum local cannabis transfer tax and user tax, as authorized by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16).

- (8) Emergency power. All licensed cannabis establishments services shall have a backup generator, capable of maintaining, at a minimum, all electronic security systems and odor control systems in the event of a power failure for a period of at least forty-eight (48) hours. Outside generators and other mechanical equipment used for any kind of power supply, cooling, or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution.
- (9) Noise. All cannabis business facilities shall operate in compliance with state, county, and local noise laws and regulations, except in emergency situations requiring the use of a backup generator.
- (10) Host community agreement. Any applicant for a license to operate a cannabis business within the Township shall be required to enter into a host community agreement with the Township after obtaining all approvals to (i) address on- or off-site impacts reasonably anticipated because of the nature of the business and/or the property on which such business is proposed to be located as a condition of local land use approval, and (ii) memorialize an applicant's commitment to the community and the township.
- (11) No outdoor storage of cannabis shall be permitted. This section shall not apply to outdoor cultivation plants.
- (12) In no case shall a cannabis cultivator operate or be located on land that is valued, assessed, or taxed as an agricultural or horticultural use pursuant to the Farmland Assessment Act of 1964, P.L. 1964, c. 48 (N.J.S.A. 54:423.1 et seq.).
- (13) All cannabis cultivation shall take place in an enclosed, fenced, locked area or facility. Access to such enclosed, locked area or facility shall be limited to an owner, principal, employee, volunteer, of a license holder or the staff members of a license holder's management services contractor that possesses a Cannabis Business Identification Card and are authorized by the cannabis business to access the facility.
- (14) Outdoor cultivation may occur in a full greenhouse with rigid walls, a partial greenhouse, a hoop house, or other non-rigid structure, or an expanse of open or cleared ground fully enclosed by a physical barrier as authorized pursuant to N.J.A.C. 17:30-10.3
- (15) All fencing shall be constructed of metal chain links or another similarly secure material and shall measure at least eight feet from the ground to the top. All support posts shall be securely anchored. Fencing shall meet the requirements of the relevant municipal code provisions.
- (16) Locks on gates shall be commercial-grade, non-residential door locks.
- (17) The outdoor grow area shall be protected by a security alarm system and 24-hour video surveillance system that is continuously monitored and capable of detecting

power loss, pursuant to N.J.A.C. 17:30-9.10, to ensure surveillance of the entire perimeter of the grow area and overall portions of the security fences and all gates.

- (18) Pollen and seed control. Any cannabis business shall implement measures to prevent cross-pollination and to prevent cannabis pollen and seeds from leaving the premises, which may include, but not limited to, use of pollen screens, ultraviolet light and other methods to ensure that employees, customers, vendors and other persons on site do not leave the premises while carrying any cannabis pollen or seeds knowingly or unknowingly.

SECTION 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. In the event any clause, section or paragraph of the Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of the Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of the Ordinance.

Section 5. This Ordinance shall take effect after final adoption and publication according to law.

TOWNSHIP OF WOOLWICH

\_\_\_\_\_  
Natalie Matthias, Mayor

ATTEST: \_\_\_\_\_  
Jessica Mignogna, Clerk

#### NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 6<sup>th</sup> day of May, 2024 and will be considered for final passage at a meeting of the Township of Woolwich, to be held on the 17<sup>th</sup> day of June, 2024 at 6:30 p.m. at which time and place any interested party will be given the opportunity to be heard.

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Jessica Mignogna, Clerk

#### CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted by the Township Committee of the Township of Woolwich upon second reading and subsequent to a public hearing conducted on said Ordinance at a meeting of the Woolwich Township Committee held on June 17, 2024

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Jessica Mignogna, Clerk