

BOROUGH OF GIBBSBORO
HEARING NOTICE

The ordinance published herewith was introduced and passed on first reading at a meeting of the Governing Body of the Borough of Gibbsboro on July 14, 2021, at 7:00 PM and will be further considered for final passage after public hearing at a meeting of said Governing Body to be held via conference call on August 11, 2021 beginning at 7:00 PM. Details for public participation will be posted to the municipal website at www.gibbsborotownhall.com. The ordinance will also be posted in full to the municipal website for public inspection.

2021-10

**ORDINANCE OF THE BOROUGH OF GIBBSBORO
REGULATING CONSUMPTION OF CANNABIS WITHIN THE BOROUGH OF
GIBBSBORO, COUNTY OF CAMDEN, NEW JERSEY**

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 authorizes municipalities by ordinance to adopt regulations governing the consumption of cannabis on or in public spaces within the community.

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

Section 1. Prohibited Consumption.

- I. **NJ Smoke-Free Air Act.** The consumption of cannabis items through smoking, vaping, or aerosolizing is prohibited in all places where tobacco smoking is prohibited under the NJ Smoke-Free Air Act, and any indoor public place as that term is defined in N.J.S.A. 26:3D-57.
- II. **Consumption by Other Means.** It is unlawful for any person 21 years of age or older to consume cannabis through any other means not clearly defined in I above, (i.e., edibles) in a public place, including any indoor public place as the term is defined in N.J.S.A. 26:3D-57.

Section 2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Gibbsboro, inconsistent with the provisions of this ordinance, is hereby repealed to the extent of such inconsistency, only

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. Enactment. This ordinance shall become effective immediately after publication in the manner provided by law.

Section 5. Continuation and codification. This ordinance shall be a part of the General Code of the Borough of Gibbsboro as through codified and fully set forth herein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Borough Code. The Borough Clerk and Borough Attorney are authorized and directed to change any chapter, article and/or section number of the General Code of the Borough of Gibbsboro in the event that the codification of this ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and accidental repeal of existing provisions not intended to be repealed.

Edward G. Campbell, III
Mayor

Amy C. Troxel, RMC
Borough Clerk

Introduced: July 14, 2021
Public Hearing: August 11, 2021
Adoption Date:

Roll Call Vote: Councilman Brown
Councilman Deterding
Councilwoman Karsh
Councilman MacFerren
Councilman Rickert
Councilman Werner

CERTIFICATION

I, Amy C. Troxel, Borough Clerk of the Borough of Gibbsboro, County of Camden, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance introduced by the Mayor and Council of the Borough of Gibbsboro at a meeting held on the 14th day of July, 2021.

Amy C. Troxel, RMC
Borough Clerk