

Ordinance No. 2026-15

AN ORDINANCE AMENDING CHAPTER 194, “LAND DEVELOPMENT PROCEDURES,” OF THE CODE OF THE BOROUGH OF NETCONG AND AMENDING THE REGULATIONS GOVERNING CANNABIS RETAILERS

BE IT ORDAINED by the Borough Council of the Borough of Netcong, in the County of Morris and State of New Jersey, as follows:

SECTION 1. Chapter 194, “Land Development Procedures,” Article VIII, “Zoning,” Section 194-64, “Conditional uses,” paragraph E, “Cannabis Retailers, subject to the following standards”, subparagraph 9, shall be amended to read as follows:

- “9. Cannabis retailers may be located within the same building or on the same property as establishments engaged in the retail sale of food, including grocery stores, delicatessens, and indoor food markets, provided that:
- (a) The cannabis retail space shall be physically separated from any food retail area by a full-height interior wall, with no direct interior passage between the cannabis retail area and any such food retail area accessible to the general public;
 - (b) The cannabis retailer shall maintain a separate, dedicated exterior public entrance distinct from the entrance(s) serving any co-located food retail establishment, consistent with the requirements of subsection (6) above;
 - (c) Signage, displays and merchandize of the cannabis retailer shall not be visible from within any co-located food retail establishment; and
 - (d) The retail sale of alcoholic beverages within the building shall be prohibited; provided, however, that nothing herein shall prevent any occupant of the building with the exception of the cannabis retail sale operation from obtaining and exercising a social affair permit or similar temporary permit authorizing the service of alcohol in accordance with applicable state and local law.”

SECTION 2. This Ordinance may be renumbered for codification purposes.

SECTION 3. The Borough Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

SECTION 4. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION 5. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 6. This Ordinance shall take effect after final passage and publication as soon as practicable and in the manner provided by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Netcong, County of Morris and State of New Jersey, held on the 9th day of April, 2026, introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 14th day of May, 2026, at 7:30 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

ATTEST:

By: _____

Elmer M Still, Mayor

Cynthia Eckert, Borough Clerk

Introduced: 4/09/26

Adopted: