

**ORDINANCE NO. 18-15**

**BOROUGH OF NORTH PLAINFIELD  
COUNTY OF SOMERSET  
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT  
THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD,  
CHAPTER XXII ENTITLED, "LAND DEVELOPMENT"  
TO ADD MARIJUANA RECREATIONAL AND MEDICAL USE RETAIL OUTLETS  
AS A PROHIBITED USE IN ALL RESIDENTIAL AND BUSINESS ZONES WITHIN  
THE BOROUGH.**

**WHEREAS**, the public policy of the Federal Government of the United States is to criminalize the growth, manufacture, distribution and/or possession of marijuana and/or its derivatives; and,

**WHEREAS**, the State of New Jersey still criminalizes the growth, manufacture, distribution and/or possession of marijuana and/or its derivatives, except in licensed medical marijuana facilities operating pursuant to the *New Jersey Compassionate Use Medical Marijuana Act*, N.J.S.A. 24:61-1, *et seq.*; and,

**WHEREAS**, several bills pending in the New Jersey Legislature would reverse the State's long-standing public policy concerning the growth, manufacture, distribution and/or possession of marijuana and/or its derivatives for recreational use, with proposed measures ranging in scope from simple decriminalization to the full-scale regulation of the growth, manufacture, distribution and/or possession of marijuana and/or its derivatives for recreational purposes; and,

**WHEREAS**, the Borough of North Plainfield, in the County of Somerset and State of New Jersey has a comprehensive Master Plan and Development Ordinances implementing that Master Plan; and,

**WHEREAS**, the Borough Council of the Borough of North Plainfield has determined that businesses selling recreational and medical marijuana require special concern for health, security and location; and,

**WHEREAS**, the Borough Council of the Borough of North Plainfield believes that the retail sale of recreational and medical marijuana will have significant and deleterious effects on the quality of life as well as the health, safety and welfare of the residents of the Borough of North Plainfield; and,

**WHEREAS**, studies in Massachusetts and other states have shown that recreational and medical marijuana can contain harmful concentrations of heavy metals, mold and yeast; and,

**WHEREAS**, the Borough of North Plainfield desires to ensure that such facilities are not allowed within one quarter (1/4) of a mile of any school, church, playground, public park or municipal building or grounds, or any residential zone, consistent with the intent of the said Master Plan and Development Ordinances implementing that Master Plan; and,

**WHEREAS**, there is no area of the Borough of North Plainfield which can safely house a business selling recreational and/or medical marijuana and/or the paraphernalia that facilitates the use of such marijuana consistent with the intent of the said Master Plan and Development

Ordinances implementing that Master Plan; and,

**WHEREAS**, the New Jersey Legislature has delegated power to the Borough of North Plainfield to declare the public policy of the Borough of North Plainfield and to enforce that policy in a manner best suited to the Borough of North Plainfield and not inconsistent with State law; and,

**WHEREAS**, the Borough Council of the Borough of North Plainfield believes that it is in the best interest of the Borough to amend, revise and supplement Chapter XXII of the Borough Code of the Borough of North Plainfield, entitled “Land Development” in order to set forth the policy of the Borough of North Plainfield regarding the location of establishments engaged in the growth, manufacture, distribution and/or possession of marijuana for recreational and/or medical purposes; and,

**WHEREAS**, the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey has determined that the public health, welfare and safety will be protected by prohibiting the location of businesses in the Business and Residential Districts of the Borough of North Plainfield which grow, manufacture, distribute or possess recreational and/or medical marijuana and/or the paraphernalia that facilitates the use of such marijuana consistent with the intent of the said Master Plan and Development Ordinances implementing that Master Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Chapter XXII entitled “Land Development” is hereby amended, revised and supplemented by prohibiting businesses selling recreational and/or medical marijuana consistent with the intent of the said Master Plan and Development Ordinances implementing that Master Plan as follows:

**Additions in text indicated by underline; deletions by ~~strikeouts~~.**

**SECTION ONE**: Section 3.2, Possession and Sale of Drug Paraphernalia, is hereby amended by the addition of the following:

3-2.1 Definition and Determination that Object is Drug Paraphernalia.

As used in this Section:

Marijuana retail facility shall mean any place in which marijuana or its derivatives are sold, grown, dried, packaged, stored, warehoused or distributed for recreational purposes to members of the public and shall include licensed medical marijuana facilities operating pursuant to the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1, et seq.

3-2.5 Operating a Marijuana Retail Facility Unlawful.

It shall be unlawful for any person to operate a marijuana retail facility anywhere within the Borough of North Plainfield knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or offer for retail or wholesale

distribution any marijuana or marijuana derivative, including, but not limited to the following:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION TWO:** Chapter 22-3, Definitions, is hereby amended by the addition of the following:

22-3 DEFINITIONS.

As used in this Chapter:

*Massage Shop* shall mean an establishment, business or use which provides the service of massage and body manipulation, unless operated by an athletic trainer, chiropractor, physical therapist, physician or masseuse licensed by, or registered with, the State of New Jersey.

*Marijuana retail facility* shall mean any place in which marijuana or its derivatives are sold, grown, dried, packaged, stored, warehoused or distributed for recreational purposes to members of the public and shall include licensed medical marijuana facilities operating pursuant to the *New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1, et seq.*

*Minor Subdivision* shall mean a subdivision of land that does not involve a. the creation of more than three (3) lots; b. planned development; c. any new street; or, d. extension of any off-tract improvement.

**SECTION THREE:** Chapter 22-103, R-1 and R-2 Residence Zones, is hereby amended by the addition of the following:

22-103.1 *Uses.*

In the R-1 and R-2 Residence Zones, only the following uses are permitted:

- a. One-family dwellings.
- b. State accredited schools and public buildings and uses owned or operated by the Borough or its agent or by the Board of Education.
- c. Churches, synagogues and other religious buildings and uses.
- d. Not more than two (2) roomers or boarders per one-family dwelling.

- e. Accessory uses limited to the following:
1. Off-street parking in accordance with Section 22-117.
  2. Signs in accordance with Section 22-119.
- f. Accessory buildings and structures normally incident and subordinate to the principal use including private garages, property maintenance and storage buildings, private swimming pools and cabanas and similar utility and recreational buildings and structures.

In the R-1 and R-2 Residential Zones only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION FOUR:** Chapter 22-104, R-3 Residence Zone, is hereby amended by the addition of the following:

22-104.1 Uses.

In the R-3 Residence Zone, only the following uses are permitted:

- a. Any use permitted in the R-1 and R-2 Residence Zones.
- b. Two (2) family dwellings.

In the R-3 Residential Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION FIVE:** Chapter 22-105, R-4 Residence Zone, is hereby amended by the addition of the following:

22-105.1 Uses.

In the R-4 Residence Zone, only the following uses are permitted:

- a. Any use as permitted in the R-3 Residence Zone subject to all required conditions of that zone.
- b. Townhouses subject to the required conditions of subsection 22-105.2.

In the R-4 Residential Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION SIX:** Chapter 22-106, R-5 Residence Zone, is hereby amended by the addition of the following:

*22-106.1 Uses.*

In the R-5 Residence Zone, only the following uses are permitted:

- a. Any use permitted in the R-1 Residence Zone in accordance with all required conditions of that zone.
- b. Apartment buildings as regulated in subsection 22-106.2.

In the R-5 Residential Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION SEVEN:** Chapter 22-106A, H-1 and H-2 Historic District Residence Zones, is hereby amended by the addition of the following:

*22-106A.1 Uses in H-1 Historic District Residence Zone.*

In the H-1 Historic District Residence Zone, only the following uses are permitted:

Any use permitted in the R-1 Residence Zone.

In the H-1 Historic District Residence Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

22-106A.3 *Uses in H-2 Historic District Residence Zone.*

In the H-2 Historic District Residence Zone, only the following uses are permitted:

Any use permitted in the R-1, R-2 and R-3 Residence Zones.

In the H-2 Historic District Residence Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION EIGHT:** Chapter 22-106B, R-6 Residence Zone, is hereby amended by the addition of the following:

22-106B.1 *Uses.*

In the R-6 Residence Zone, only the following uses are permitted:

Any use permitted in the R-1 Residence Zone.

In the B-1 Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION NINE:** Chapter 22-106C, R-7 Residence Zones, is hereby amended by the addition of the following:

22-106C.1 Uses.

In the R-7 Residence Zone, only the following uses are permitted:

Any use permitted in the R-1 Residence Zone.

In the R-7 Residence Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION TEN:** Chapter 22-106D, R-8 Residence Zone, is hereby amended by the addition of the following:

22-106D.1 Uses.

In the R-8 Residence Zone, only the following uses are permitted:

Any use permitted in the R-1 Residence Zone.

In the R-8 Residence Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION ELEVEN:** Chapter 22-106E, R-9 Age Restricted Community (ARC) and Affordable Housing (AH) Residence Zone, is hereby amended by the addition of the following:

22-106E.1 Uses.

In the R-9 Age Restricted Community (ARC) and Affordable Housing (AH) Residence Zone, only the following uses are permitted:

- a. Any use permitted in the R-2 Residence Zone in accordance with

all required conditions of that zone.

b. Age Restricted Communities as regulated in subsection 22-106E.2 of this Ordinance.

c. Non-age restricted affordable housing as regulated in Section 22-106E.3 of this Ordinance.

In the R-9 Age Restricted Community (ARC) and Affordable Housing (AH) Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION TWELVE:** Chapter 22-107, B Business Zone is hereby amended by the addition of the following:

*22-107.1 Uses.*

In the B Business Zone only the following uses are permitted:

- a. Stores and shops for retail business conducted entirely within the confines of a building provided that any process of manufacture, assembly, treatment or conversion involves a product or service intended to be sold or provided directly to the ultimate consumer and further provided that not more than five (5) mechanics or production workers are involved in any such process.
- b. Banks and financial institutions.
- c. Central telephone exchanges.
- d. Offices for professional, business and executive purposes.
- e. Restaurants and taverns, but not including drive-in restaurants or refreshment stands where food, drink and confections are served outside the buildings, or where food is intended to be consumed in cars parked on the premises.
- f. Funeral homes.
- g. Vocational schools, or studios for the instruction of the arts, dancing, music, languages, photography.

- h. Public buildings and uses.
- i. Parking garages.
- j. Off-street parking in accordance with Section 22-117.
- k. Signs in accordance with Section 22-119.
- l. Accessory uses normally incident and subordinate to the above uses.

In the B Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION THIRTEEN:** Chapter 22-108, B-1 Business Zone is hereby amended by the addition of the following:

*22-108.1 Uses.*

In the B-1 Business Zone only the following uses are permitted:

- a. Any use permitted in the B Business Zone.
- b. Motels in accordance with Section 22-118.
- c. Apartment buildings, subject to the required conditions of subsection 22-108.3 which may contain offices on the first floor.
- d. Townhouses subject to the required conditions of subsection 22-108.4.

In the B-1 Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION FOURTEEN:** Chapter 22-109, B-2 Business Zone, is hereby amended by the addition of the following:

*22-109.1 B-2 Business Zone*

In the B-2 Business Zone, only the following uses are permitted:

- a. Office buildings for business, professional and administrative

purposes.

- b. Public buildings and uses.
- c. Churches, synagogues and other religious buildings and uses.
- d. Funeral homes.
- e. Non-profit clubs, lodges and fraternal, civic, service or charitable organizations.
- f. Off-street parking in accordance with Section 22-117.
- g. Signs in accordance with Section 22-119.
- h. Accessory uses normally incident and subordinate to the above uses.

In the B-2 Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION FIFTEEN:** Chapter 22-109.3, B-2a Business Zone, is hereby amended by the addition of the following:

#### 22-109.3 Uses

In the B-2a Business Zone, only the following uses are permitted:

- a. Any use permitted in the B-2 Business Zone; and,
- b. Retail stores and shops shall be permitted in the B-2a Business Zone. Stores and shops for retail business conducted entirely within the confines of a building provided that any process of manufacture, assembly, treatment or conversion involves a product or service intended to be sold or provided directly to the ultimate consumer and further provided that not more than five (5) mechanics or production workers are involved in any such process.

In the B-2a Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.

- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION SIXTEEN:** Chapter 22-110, B-3 Business Zone, is hereby amended by the addition of the following:

22-110.1 *Uses.*

*In the B-3 Business Zone, only the following uses are permitted:*

- Any use permitted in the B Business Zone.
- Gasoline service stations and public garages in accordance with Section 22 -118.
- Motels in accordance with Section 22-118.
- Off-street parking in accordance with Section 22-117.
- Signs in accordance with Section 22-119.
- Accessory uses normally incident and subordinate to the above uses.

In the B-4 Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION SEVENTEEN:** Chapter 22-111, B-4 Business Zone, is hereby amended by the addition of the following:

22-111.1 *Uses*

*In the B-4 Business Zone, only the following uses are permitted:*

- Stores and shops for retail business conducted within the confines of a building provided that:
  - The process of manufacture, assembly, treatment or conversion involves a product or service intended to be sold or provided directly to the ultimate consumer and further provided that not more than five (5) mechanics or production workers are involved in any such process; and,
  - The sale and dispensing of gasoline as an ancillary use or operation associated with a retail store of one hundred thousand (100,000) square feet or more is permitted, provided that the gasoline sales and dispensing operation is designated within the same parking

and circulation plan as the principal use retail store.

- b. Banks and financial institutions.
- c. Offices for professional, business and executive purposes.
- d. Restaurants, but not including drive-in restaurants or refreshment stands where food, drink and confections are served outside the building, or where food is intended to be consumed in cars parked on the premises.
- e. Motels in accordance with Section 22-118.
- f. Public buildings, and uses.
- g. Research, experimental and testing laboratories except those engaged in the field of explosives.
- h. Motor vehicle sales limited to new car dealerships.
- i. Theaters, but not including drive-in or open air theaters.
- j. Off-street parking in accordance with Section 22-117, except no parking is permitted in the required front yard.
- k. Signs in accordance with Section 22-119.
- l. Accessory uses normally incident and subordinate to the above uses.

In the B-4 Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION EIGHTEEN:** Chapter 22-112, B-5 Business Zone, is hereby amended by the addition of the following:

*22-112.1 Uses.*

In the B-5 Business Zone, only the following uses are permitted:

- a. Office buildings for business, professional and administrative

purposes.

- b. Research, experimental and testing laboratories except those engaged in the field of explosives.
- c. Public buildings and uses.
- d. Off-street parking in accordance with Section 22-117.
- e. Signs in accordance with Section 22-119.
- f. Accessory uses customarily incident and subordinate to the above uses.
- g. Townhouses subject to the required conditions contained in subsection 22-105.2.

The required conditions of subsection 22-112.2 shall not apply to townhouses in the B-5 Business Zone.

In the B-5 Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION NINETEEN:** Chapter 22-113, B-6 Business Zone, is hereby amended by the addition of the following:

*22-113.1 Uses.*

In the B-6 Business Zone only the following uses are permitted:

- a. Any use permitted in the B Business Zone.
- b. Motels in accordance with Section 22-118.

In the B-6 Business Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.

- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**SECTION TWENTY:** Chapter 22-113A, O Professional Office Overlay Zone, is hereby amended by the addition of the following:

*22-113A.1 Uses.*

In the O Professional Office Overlay Zone, in addition to any use permitted in the underlying zone district, the following uses are permitted:

- Professional/Business Offices.* Professional/business office use, subject to the conditions of subsections 22-113A.2 and 22-113A.3 of the Borough Code.
- Mixed Professional or Business Office-Residential Buildings.* Office use within mixed office-residential apartment buildings shall only be located on the ground floor (first floor) level of the principal building. Office use and residential use within mixed-use buildings shall each contain a separate exterior entrance for each separate use.

In the O Professional Office Overlay Zone only the following uses are prohibited uses:

- Marijuana retail facilities.
- Retail Marijuana indoor or outdoor plant operations.
- Retail Marijuana Growing centers.
- Retail Marijuana Preparation and packaging centers.
- Retail Marijuana warehouses.
- Retail Marijuana Distributions facilities.
- Distribution of and/or cultivating and/or preparation and/or packaging and/or storage and/or distribution of medical marijuana.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that:

- All ordinances or portions of ordinances that are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.
- If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.
- This Ordinance shall be subject to review and recommendation by the Borough

Planning Board in accordance with N.J.S.A. 40:55D-26.

- The Somerset County Planning Board shall be provided notice of this proposed ordinance in accordance with N.J.S.A. 40:27-6.10.
- This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable, and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date. The Ordinance shall also be filed with the Somerset County Planning Board concurrently with the provisions herein.

INTRODUCED: September 25, 2018  
PASSED: September 25, 2018  
PUBLISHED: September 28, 2018  
ADOPTED:

ROLL CALL: AYES:  
  
NAYS:  
  
ABSTAIN:  
  
ABSENT:

APPROVED BY THE MAYOR: Yes \_\_\_\_\_ No \_\_\_\_\_

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on \_\_\_\_\_, 2018

ATTEST:

BOROUGH OF NORTH PLAINFIELD

\_\_\_\_\_  
Richard K. Phoenix, RMC  
Borough Clerk  
Borough of North Plainfield

\_\_\_\_\_  
Lawrence La Ronde, Council President  
Date signed: \_\_\_\_\_, 2018

Date signed: \_\_\_\_\_, 2018