

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE #8/24**

**ORDINANCE TO AMEND §414-113 OF THE TOWN OF WEST NEW YORK  
MUNICIPAL CODE, ENTITLED “CANNABIS RETAIL OVERLAY ZONE”**

**WHEREAS**, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (the “Act”), enacted in February, 2021, established the New Jersey Personal-Use Cannabis Program, which includes a process for the licensure of “Cannabis Business Establishments,” as defined by the Act; and

**WHEREAS**, §414-113 of the Municipal Code of the Town of West New York (the “Town”) expressly authorized the operation of one (1) cannabis retailer within the Cannabis Retail Overlay Zone (“CROZ”) limited to those properties currently designated C-R, Retail Service Commercial in Blocks 84, 94, 96, 98, 104, 107, 108, 109, and 112 also known as Bergenline Avenue, between 49th and 55th Street; and

**WHEREAS**, the Board of Commissioners of the Town of West New York seeks to amend §414-113 to authorize the operation of two (2) total cannabis retailers within the Cannabis Retail Overlay Zone.

**NOW, THEREFORE, BE IT ORDAINED** that the Board of Commissioners of the Town of West New York in the County of Hudson, State of New Jersey, do hereby authorize the amendment of §414-113(A)(1) entitled “Purpose” as follows:

**SECTION ONE:**

A. Purpose.

- (1) To permit the establishment of two (2) cannabis retailer establishments, as defined herein, within the Town of West New York, through the mechanism known as overlay zoning.

**SECTION TWO:**

**Severability.** If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

**SECTION THREE:**

**Repealer.** To the extent that any provision of the Code of the Town of West New York is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

**SECTION FOUR:**

In order to avoid accidental repeal of existing provisions, the Town Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

**SECTION FIVE:**

This Ordinance shall take effect upon passage and publication as required by law.

**Introduced: March 20, 2024**

**Notice**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **March 20, 2024** and ordered published, for consideration before final passage at a public hearing on **April 17, 2024 at 6:30 p.m.** held remotely or in person. Instructions regarding attendance and participation in the meeting will be posted on the Town's website: <http://www.westnewyorknj.org/> . A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.