

ORDINANCE NO. 2026-10
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE
TOWNSHIP OF GREEN, SECTION 30-59, TO INCLUDE CORRECTIONAL
INSTITUTIONS AND DETENTION FACILITIES AS PROHIBITED USES IN ALL ZONES
WITHIN THE TOWNSHIP OF GREEN**

WHEREAS, the Township of Green’s Master Plan, adopted on February 13, 2025, emphasizes protection of the Township of Green’s rural character, agricultural lands, scenic landscapes, environmental resources, and historic and cultural heritage; and

WHEREAS, correctional institutions and detention facilities create an undue and unnecessary burden on the Township’s critical infrastructure, including the water supply, wastewater capacity, and emergency services; and

WHEREAS, correctional institutions and detention facilities are inconsistent with the community standards and character; and

WHEREAS, the Township Committee has determined that it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of its residents, to amend the Land Development Ordinance of the Township of Green to include correctional institutions and detention facilities as a non-permitted use within the geographic boundaries of the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Green, in the County of Sussex, State of New Jersey as follows:

Section 1. Chapter 30, “Land Use Regulations”, Article II, “Definitions”, Section 30.4, “Words and Phrases Defined”, of the Township of Green Code is hereby amended and supplemented to add the following definitions alphabetically:

CORRECTIONAL INSTITUTION An institutional facility, whether publicly- or privately-owned or operated, used to confine, correct and/or rehabilitate violators of criminal laws, including facilities for persons who are participating in supervised work-release programs, whether such facilities provide confinement for all of each 24 hour period or only a portion thereof; but not including temporary holding facilities that are accessory to a police station.

DETENTION FACILITY Any facility, whether publicly- or privately-owned or operated, used for the purpose of detaining individuals, but not including temporary holding facilities that are accessory to a police station.

Section 2. Chapter 30, “Land Use Regulations”, Section 30-59, “Prohibited Uses” of the Township of Green Code is hereby amended to add the following:

All correctional institutions and detention facilities, and any and all related used to the correctional institutions and detention facilities are prohibited in all zoning districts.

Section 3. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Sussex County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities.

Section 4. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Land Use Board of the Township of Green for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Land Use Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 5. Repealer. All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 6. Severability. Each section, subsection, paragraph, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, preempted, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

Section 7. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX

Mark Zschack, RMC, Township Clerk

Virginia Raffay, Mayor

Record of Vote - Introduction:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung			√			
Phillips			√			
Qarmout		√	√			
Rose	√		√			
Mayor Raffay			√			

Record of Vote - Adoption:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung						
Phillips						
Qarmout						
Rose						
Mayor Raffay						

INTRODUCED: August 17, 2026

ADVERTISED: August 18, 2026

ADOPTED:

ADVERTISED: