

STATE OF NEW JERSEY

COUNTY OF CAMDEN – BOROUGH OF TAVISTOCK

ORDINANCE NO. 3-2022

ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF TAVISTOCK, IN THE COUNTY OF CAMDEN, STATE OF NEW JERSEY ENTITLED “BACKYARD CHICKENS”

WHEREAS, the Borough of Tavistock (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, the keeping of chickens and other fowl and livestock is not permitted by the Borough Code; and

WHEREAS, the State of New Jersey encourages municipalities to promote sustainable programs; and

WHEREAS, the keeping of “backyard chickens” is a means by which sustainability can be achieved; and

WHEREAS, the Board of Commissioners deems it in the best interests of the taxpayers and residents of the Borough to amend the Borough Code to authorize a program which permits the keeping of “backyard chickens” under certain circumstances; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Board of Commissioners is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Board of Commissioners of the Borough of Tavistock that the Borough Code shall be amended as follows:

Section One.

Chickens

A. Chickens permitted.

The keeping of “backyard chickens” shall be permitted in the Borough of Tavistock subject to the rules and regulations as specified in this article.

B. Location; number allowed.

(1) Chicken coops and enclosed chicken runs must be set back at least 20 feet from any structure owned by another and used for human habitation, occupation or assembly.

(2) The coop must be set back no less than 5 feet from any property line.

(3) No chickens shall be permitted to run or stray within 20 feet of such structures.

(a) Chickens may roam outside the coop area in a back yard suitably fenced to keep them contained provided a resident age 18 or older is present the entire time.

(4) Chicken coops and enclosed chicken runs are permitted in the rear yard only.

(5) No roosters are permitted.

(6) In no case shall any persons be permitted to keep more than 4 chickens on a single property in the first year of a license and no more than 8 chickens thereafter.

C. License required; fee; expiration.

(1) No person shall keep chickens on their property without having first obtained a license from the Board of Commissioners and approved by the Board of Commissioners.

(a) Approvals shall be given in writing from the Board of Commissioners.

(b) To be approved for a license, the applicant will be required to show proof of completion of formal training from the Board of Commissioners or another entity approved by the Board of Commissioners regarding proper care and maintenance of backyard chickens.

(2) The annual fee shall be in the amount of \$50.00 and shall expire on December 31 of each year.

(3) No more than ten (10) licenses may be issued by the Board of Commissioners combined in each calendar year.

(a) Licenses shall be renewed annually. To be approved for a license, residents will be required to show proof of completion of a class on the basics of raising backyard chickens.

D. Backyard chicken maintenance requirements.

The following regulations and conditions for keeping and housing of chickens shall be complied with:

(1) The coop shall be dry and well ventilated, with windows so placed, if possible to admit sunlight.

(2) The coop shall be whitewashed or painted therein.

(3) The coop shall be cleaned at least one a week between November 1 and May 1, twice a week between May 1 and November 1 and, if necessary, be cleaned more often and be disinfected.

(4) Perches shall be removable and kept clean.

(5) The coop shall be the appropriate size for the number of chickens.

(6) The coop and enclosed run must be predator proof.

(7) The maximum permitted area of any chicken coop is 100 square feet, regardless of zoning requirements pertaining to impervious and building coverage.

(8) The maximum permitted height of any chicken coop, whether stacked or not is 7 feet from natural grade.

(9) Chicken feed must be kept tightly closed in a metal container away from the coop and run.

(10) Drinking fountains in the area where the coop is located shall be cleaned and free from odors.

(11) Coops shall be inspected annually by the issuing authority or upon receipt of a complaint. Property owner shall grant access for the coop to be inspected.

(12) The selling of eggs is prohibited.

(13) Slaughtering of chickens is not permitted.

E. Enforcement.

The Board of Commissioners shall enforce all provisions of this Section and may request the assistance of other Borough Departments or outside agencies as necessary to ensure compliance by all permit holders.

(1) Upon complaint or discovery that a permit holder is not adhering to the standards of chicken raising per the Board of Commissioners' training, the Board of Commissioners will investigate the issue.

(2) Upon notice of need correction or action, permit holders will have thirty (30) days to remedy the issues.

(a) If such concern is not addressed within thirty (30) days, the issue is to be turned over to the Board of Commissioners for enforcement action under the Code.

F. Revocation due to environmental changes.

Whenever, in the opinion of the Board of Commissioners, the environment in an area has changed since granting the license to keep and maintain chickens therein to such an extent that the maintenance thereof may constitute a nuisance, such license may be revoked by the Board of Commissioners.

G. Procedure for Revocation or suspension hearing.

The Board of Commissioners is hereby empowered to suspend or revoke the license(s) held by any person who violates any of the provisions of this article.

(1) No license shall be suspended or revoked until after a hearing.

(2) A notice of five (5) days, in writing, stating the time and place of such hearing shall be served upon the licensee.

Section Two.

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

BOROUGH OF TAVISTOCK

JOSEPH DEL DUCA, Mayor

ATTEST:

DENISE K MOULES, Clerk

Introduction/First Reading
Roll Call Vote:

	Yes	No	Abstain	Absent
Mayor Del Duca				
Commissioners Mack-Allen				
Commissioner Del Duca				

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CHICKENS”**

Public Hearing: October 11, 2022 at 6:00 p.m. at Tavistock Municipal Building

**Adoption
Roll Call Vote:**

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Del Duca				
Commissioner Mack-Allen				
Commissioner Del Duca				

CERTIFICATION

This Ordinance was introduced at a Meeting of the Mayor and Board of Commissioners of the Borough of Tavistock held on July 11, 2022 and after a public hearing, was finally adopted on October 11, 2022.

Denise K. Moules
Clerk