

ORDINANCE #22-12

**AN ORDINANCE OF THE BOROUGH OF RUNNEMEDE, COUNTY OF
CAMDEN AND STATE OF NEW JERSEY AMENDING THE CODE OF THE
BOROUGH OF RUNNEMEDE**

WHEREAS, the Borough of Runnemede 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 backyard chickens, hens and other fowl and livestock is currently prohibited by the Borough Code; and

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

WHEREAS, the keeping of "Backyard Chicken Hens" is a means by which sustainability can be achieved; and

WHEREAS, in light of the above, the Governing Body of the Borough of Runnemede deems it in the best interests of the taxpayers and residents of the Borough of Runnemede to amend the Code to authorize a pilot program which permits the keeping of "Backyard Chicken Hens" under certain circumstances; and

WHEREAS, pursuant to NJSA 40:48-2, the Governing Body 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 of Runnemede by law; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Runnemede, County of Camden and State of New Jersey, as follows:

Chapter 413 of the Borough Code, entitled "Livestock" is hereby amended, supplemented and revised to read in its entirety as follows:

Article I- General Provisions

413-1 Definitions.

Backyard Chicken Hens – Chicken Hens kept and maintained as set forth in this chapter

413-2 Keeping, stabling or breeding prohibited; exceptions.

It shall be unlawful for any person, firm or corporation to keep, stable, breed or quarter any livestock or fowl as defined the Borough Code of the Borough of Runnemede within the Borough limits of the Borough of Runnemede. This prohibition shall not apply to any of the following:

- A. The keeping of cats, dogs or other domestic animals within the limits of the Borough of Runnemede.
- B. The keeping of Backyard Chicken Hens as provided for in this Chapter.

Article II – Backyard Chicken Pilot Program

413-3 Chickens Permitted; Pilot Program.

A pilot program for the keeping of backyard chicken hens is hereby authorized. Keeping of backyard chicken hens shall be permitted in the Borough of Runnemede subject to the rules and regulations as specified in this Article. The pilot program shall commence on October 1, 2022 and terminate on December 31, 2023 at 12:01 am, unless the Borough of Runnemede acts to continue same prior to that date. In the event the Borough of Runnemede does not act to continue the program prior to said termination date, all persons with backyard chicken hens shall be allowed to retain those Permitted Chicken

Hens on the property as of December 31, 2023 in accordance with the requirements of this Article until such Hens have expired or been removed by the Owner. No such Hens may be replaced.

413-4 Participation; Location; number restricted.

A. The following shall be eligible to participate in the pilot program: residents of single family homes or residents of "twin" homes or "row" homes which meet the criteria set forth in this Section.

B. For purposes of this pilot program, no more than twenty (20) licenses may be issued at any one time. Any additional households wanting to participate may be considered on an individual basis by the Chicken Advisory Board established pursuant to this Chapter in conjunction with the liaison to the Governing Body.

C. There shall be a limit of two (2) chickens permitted per 1,000 square feet of lot capped at a maximum of nine (9) chickens; no roosters permitted.

D. The coop and enclosed run shall be kept at least fifteen (15) feet from the habitable portion of the neighboring residential dwelling. The minimum five (5) foot side and rear yard setback shall be maintained as a buffer with maintained lawn or landscape vegetation. Run-off waste on adjacent properties shall not be permitted. Garages, attached or otherwise, and accessory buildings shall not be considered a "residential dwelling" for purposes of calculating the required distance. Chickens may roam outside of the coop area in the back yard suitably fenced to keep them contained provided that a resident age eighteen (18) or older is present the entire time.

E. The keeping of chickens shall be limited to the rear yard as defined by this Ordinance.

413-5 License required; fee; expiration; class.

A. No person shall keep chickens on their property without first obtaining a license from the municipal clerk's office and paying the required fee therefor. No license shall be issued unless the applicant therefore has demonstrated compliance with all criteria set forth in this Article VI. No license shall be issued prior to any applicant meeting with the Chicken Advisory Board to determine if the applicant is able to meet all criteria. Every license issued pursuant to this Article shall expire annually on March 1 after the Pilot begins. Any applicant who currently has backyard chicken hens within the Borough of Runnemede, shall have priority over any one else for the purpose of applying for a license. The Chicken Advisory Board may grant a waiver of lot size and/or maximum permitted chickens to those persons maintaining chickens at the time of the passage of the within Ordinance to allow such person(s) to come into compliance with this Ordinance through the natural expiration of their chickens provided such waiver does not negatively affect the health, safety and welfare of any resident or person and application for such waiver is made within thirty (30) days of the passage of this Ordinance.

B. A license fee of \$10.00 shall be paid for each license issued pursuant to this Article.

C. Each applicant wishing to participate in the pilot program or desiring to keep backyard chickens thereafter in the event the pilot program is not terminated, shall be required to take a class on the basics of raising backyard chickens. Proof of attendance must be presented with the completed application. The Borough will provide a class minimally once a year at a nominal fee for anyone who has not previously met this requirement. The handling of this class will be the responsibility of the Chicken Advisory Board. A member of the Chicken Advisory Board will review the application with the applicant prior to final submission.

D. Tenants of property submitting an application must have the consent of the landlord.

413-6 Requirements for coops; slaughter of chickens; waste.

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

- A. The coop shall be the appropriate size for the number of chickens and shall consist of a minimum of three (3) square feet per chicken.
- B. The coop shall be dry and well ventilated with windows to admit sunlight and shall not be heated.
- C. The housing of chickens must be the primary purpose of the structure.
- D. The coop must be kept clean and the utilization of a tarp as a portion of the roof is not permitted.
- E. Clean water must be provided, and food must be kept in a tightly sealed rodent and predator-proof container.
- F. The yard in the area where the coop is located shall be clean, free from odors and dust abatement techniques must be utilized.
- G. There shall be no slaughter of chickens in the Borough of Runnemede.
- H. Waste shall be handled properly to prevent offensive odors or disposed in an environmentally-friendly manner.
- I. The coop must meet all of the size limitations of an accessory building as may be otherwise provided for in the Code of the Borough of Runnemede.

413-7 Creation of "Chicken Advisory Board"; complaints.

A. A Chicken Advisory Board consisting of at least five (5) members of the community shall be formed. The Mayor shall appoint all members and designate the Chair, all of whom shall serve for a one (1) year term. The members shall elect a Vice Chair and Board Secretary from the remaining members who shall also serve for a one (1) year term. All terms are on a calendar year basis. The Board shall meet on regular basis and keep minutes which shall be submitted along with quarterly reports to the Governing Body via a Borough Council selected liaison to the Chicken Advisory Board. These reports will include any activities of the Board, as well as any complaints from residents concerning backyard chicken hens and the resolution, if any, of those complaints.

B. When a complaint is received by the Borough of Runnemede, it will be forwarded to the Board for investigation by two members of the Board. If the Board finds a violation of this Article, a notice of violation will be issued by the Borough Code Enforcement Officer. If after thirty (30) days, the violation has not been remedied, the Borough Code Enforcement Office shall be notified, so that enforcement proceedings may be implemented. The Chicken Advisory Board will assist anyone desiring to no longer participate in the backyard chicken program to relocate their chickens.

Article III Enforcement

413-8 Access to property.

Any member of the local and/or county health department and/or Borough Code Official shall be permitted to enter any property for the purpose of a site inspection for the purpose of ensuring compliance with the provisions of Article VI, either during the application process or during the period of the license. Said individuals set forth herein shall give 24 hours' notice to the license holder.

413-9 Revocation of license.

Failure to comply with the conditions and regulations set forth in the Article shall result in revocation of the license after notice in writing and a hearing before the Code Official. Said hearing must occur within twenty (20) days of notice of revocation. The Code Official's revocation of a license may be appealed to the governing body within twenty (20) days of the revocation in writing filed with the Municipal Clerk setting forth the basis of the appeal.

413-10 Violations and penalties.

Any person who violates any provision of this Article shall, upon conviction in the Borough of Runnemede Municipal Court or any such other having jurisdiction, be sentenced to a fine not exceeding one thousand, two hundred and fifty dollars (\$1,250.00), or imprisonment for a term not exceeding ninety (90) days, or community service for a term not exceeding ninety (90) days, or all of the above. Each day that a

violation occurs shall be deemed a separate and distinct offense and subject to the penalty provisions of this Article.

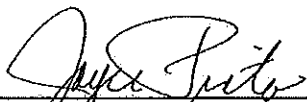
SECTION 3. Except as set forth herein in Articles V, VI and VII the balance of Chapter 95 shall not be affected by this Ordinance.


SECTION 4. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 5. If the provisions of any section, subsection, paragraphs, subdivisions, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6. This Ordinance shall take effect upon passage and publication according to law.

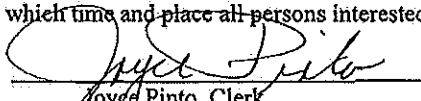
BOROUGH OF RUNNEMEDE


 Joyce Pinto, Borough Clerk


 Nick Kappatos, Mayor

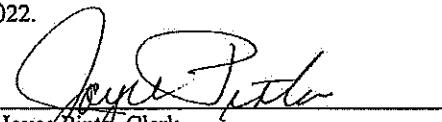
NOTICE

The above ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Runnemede held on the 3rd day of August, 2022 and will be taken up for final consideration and passage at a meeting of the Borough Council of said Borough of Runnemede 24 N. Black Horse Pike, Runnemede, New Jersey on the 6th day of September, 2022, at which time and place all persons interested will be heard.


 Joyce Pinto, Clerk
 Upon First Reading

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of an ordinance, adopted by the Borough Council of the Borough of Runnemede at a meeting held on the 6th day of September, 2022.


 Joyce Pinto, Clerk
 Upon Final Passage

Name	Passed on First Reading				Adopted on Second Reading			
	Yes	No	Abstain	Absent	Yes	No	Abstain	Absent
Kelly		✓			✓	✓		
Laubenstein				✓	✓			
Passio	✓				✓			
Cepero	✓				✓			
Farrell	✓				✓			
Ranleri	✓				✓			