

ORDINANCE NO. O2024x06
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
AN ORDINANCE TO AMEND CHAPTER 163 OF THE CODE OF THE TOWN OF
BELVIDERE ENTITLED “ANIMALS”

BE IT ORDAINED by the Belvidere Town Council that Chapter 163 of the Code of the Town of Belvidere is hereby amended and revised to repeal and replace Article I entitled “Fowl”, with a new Article I entitled “Keeping of Chickens and Other Poultry” as follows:

Chapter 163
Animals

Section I.

Article I
Keeping of Chickens and Other Poultry

§163-1. On properties other than those devoted to agricultural or horticultural use and eligible for farmland assessment, the following requirements shall be met.

- A. The keeping of chickens and other poultry as defined in the Department of Agriculture Regulations N.J.A.C. 2:8-2.1, et seq. Shall be prohibited on multi-unit properties, including any property in common ownership as part of a homeowners’ association or owned or maintained by a management company or landlord.
- B. A maximum of twenty (20) chickens or poultry may be kept on any one property.
- C. Rooster shall be prohibited.
- D. Chickens and other poultry shall be provided an enclosure which is covered, ventilated and predator/rodent resistant. Said enclosure shall provide a minimum of four (4) square feet per bird when outdoor space of equal or greater space is provided or ten (10) square feet per bird where outdoor space of equal or greater space is not provided. Enclosures shall be located within side and rear yards only.
- E. Chickens and other poultry and their enclosure shall be contained within an area completely enclosed by fencing a minimum of four (4) feet in height. Chickens and poultry shall not be permitted to roam freely outside of fenced areas.
- F. The enclosure and any fenced run shall be well drained so that there is no accumulation of moisture. The floors and walls of the enclosure shall be kept in a clean and sanitary condition, with all droppings collected at least weekly. Animal solid waste shall be kept in a covered and secured container until composted, applied as fertilizer or transported off-premises.

- G. Chicken and poultry enclosures shall not be considered an accessory use or building as defined in Chapter 505, Zoning. An enclosure in all zones shall comply with the location requirements for fences in residential zones as set forth in §505-24 (A), provided that no enclosure shall be permitted in a front yard.
- H. Enforcement - the enforcement of this chapter may be by an Officer of the Belvidere Town Police Department, Zoning Official or Animal Control Officer.
1. Upon determination that there is or has been a violation of any provision of this chapter, prior to the issuance of a summons, the Enforcement Officer shall provide written notice sent by regular mail to the last known address of the person or entity upon which the same is served, as shown by the most recent tax records of the municipality, or if a copy thereof is handed to said person or persons or if a copy thereof is left with the occupant of the property if different from the owner of record. Notice shall be given as aforesaid within or without the municipality.
 2. The notice shall state that, unless the violation is abated, removed, cured, prevented or desisted (collectively referred to herein as “abatement”) within 30 days of the date of service of such notice (exclusive of the date of service), a complaint shall be issued for such violation in the Belvidere Town Municipal Court.
- I. Violations and Penalties - any person or entity who shall violate any of the provisions of this chapter or any order promulgated hereunder shall, after a summons is issued under the terms hereof, be subject to the following:
1. A minimum fine of \$100.00, not to exceed \$1,250.00, in the discretion of the Municipal Court Judge.
 2. For the purpose of this section, each and every calendar day on which a violation exists may be considered to be a separate and distinct violation, subject to a fine.

Section II. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section III. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

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

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on April 8, 2024 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on May 13, 2024 at

Belvidere Town Hall, 691 Water St., Belvidere at 7:00 PM or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 691 Water St., Belvidere, Monday through Friday from 9:00 AM to 4:30 PM.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

NOTICE

Be advised that the foregoing ordinance was duly adopted by the Belvidere Town Council at a regular meeting held on May 13, 2024.

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator