

ORDINANCE 2020-08

AN ORDINANCE OF THE TOWNSHIP OF STAFFORD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 60 OF THE TOWNSHIP CODE, ENTITLED "ANIMALS"

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Stafford, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Stafford is hereby amended and supplemented so as to amend Chapter 60, entitled "Animals," by adding Section 60-31 entitled "Registration to Keep or Raise Chicken and Other Fowl" that it shall read as follows:

60-31 Registration to Keep or Raise Chicken and Other Fowl

- A. **Registration.** Except as part of an active farm, no person shall keep, raise or maintain any chicken, or other fowl unless such person has first registered to do so from the Township Department of Animal Control. There will be an annual registration fee of \$20.00, which shall be renewable annually. The annual registration fee will be put in place the first full year, 2021. Property owners that have registered to keep, raise and maintain fowl on their property must do so under the limits set forth in this chapter.

- B. **Maximum Number of Fowl.** A minimum lot size of 0.20 acres is required for keeping any fowl pursuant to this Chapter and shall only be permitted on properties containing a single family home. The number of fowl permitted is based upon twelve (12) total for a lot of 0.20 acres, for a lot size of 0.20 to 0.50 acres the number of fowl allowed will increase to twenty (20) total. Thereafter an additional twenty (20) fowl will be permitted for each additional acre of lot area. Any property owner with more fowl than the maximum number allowed as of 8/1/2020, shall be grandfathered in and will come into compliance with the maximum number of fowl as the fowl perish.

- C. **Standards for Keeping Fowl.**
 - (1) Only female chickens are permitted. No roosters will be allowed on any residential property.
 - (2) Shelter must be accessible which will provide shade and give protection from the elements. Fowl may be confined to cages or raised on a conventional litter

floor and may have access to an outside yard, but such access is not required. When confined to cages, a minimum of two-hundred (200) square inches of cage floor space, per bird, must be provided and if a conventional floor system is used, flow should be provided with a minimum of three (3) square feet of space per fowl. If the fowl have access to an outdoor yard, the yard must have a minimum of fifteen (15) square feet of yard space per fowl.

- (3) Care and management of premises must be maintained at all times in a sanitary manner so as not to create odors and any outdoor yard area shall be kept free of debris, weeds, and standing water.
- (4) Any poultry pen, poultry house, or poultry yard shall be suitably fenced. All structures and enclosures shall be in the rear yard of the property.

D. Penalties. Any person found guilty of raising or maintaining fowl in violation of any provisions of this Chapter shall be subject to a fine not to exceed One thousand two hundred and fifty dollars (\$1,250.00) as per Section 60-28 of the Township Code. The Township of Stafford Animal Control Department shall have the authority to revoke the registration of any person found guilty of violating the provisions of this Section or any applicable health code provision of the Township of Stafford or County of Ocean.

E. Grace Period. Anyone keeping, raising or maintaining chickens or other fowl at the time of adoption of this Ordinance shall have a grace period of one hundred eighty (180) days thereafter to register and comply with the requirements of this Ordinance.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall become effective after second reading and publication as required by law.