



## Township Council

c/o Township Clerk  
Teaneck, NJ 07666

Meeting: 06/18/24 06:30 PM

Department: Township Clerk

Category: Establish

DOC ID: 8468

### ORDINANCE (ID # 8468)

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**Ordinance No. 11-2024 ADOPTING RULES AND REGULATIONS RELATED TO CHICKEN HENS BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #11-2024 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.**

#### ADOPTING RULES AND REGULATIONS RELATED TO CHICKEN HENS

BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #11-2024 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

#### HISTORY:

05/21/24          Township Council          INTRODUCED

#### COMMENTS - Current Meeting:

- 1) student - spoke in support of backyard chickens
- 2) Jen Riley - spoke against backyard chickens
- 3) Ben S - spoke on the cautions of raising chickens
- 4) Sandy Silverberg - spoke against the ordinance
- 5) Tebow Hempel - spoke in support of backyard chickens
- 6) Andrea Shuman - spoke in support of backyard chickens
- 7) Mr. Squiteri - spoke on his experience with chickens
- 8) Ben Sandler - spoke in support of backyard chickens
- 9) Former Councilman Keith Kaplan - spoke about the history of chickens in Teaneck from a policy standpoint
- 10) Michael Klatsky - spoke in support of backyard chickens
- 11) Phil Yucht - spoke in support of backyard chickens
- 12) Carrie - raised concerns about chickens
- 13) Michele Squiteri - spoke in support of backyard chickens
- 14) Art Vatsky - spoke about Teaneck being a farm town in the past
- 15) Alan Rubinstein - cited alleged language issues in the ordinance
- 16) TI - spoke in support of backyard chickens
- 17) Ray Robinson - spoke against backyard chickens

Council agreed to extend the meeting to 1130PM.

- 18) Benny Reiner - spoke in support of backyard chickens
- 19) Michael Rochlin - suggested people think outside the box

Councilwoman Belcher spoke about her experience with chickens as a child on acreage in Alabama and explained where her head is at in regards to support.

Councilwoman Orgen inquired to Attorney Salmon to address the concerns regarding the ordinance language. Mr. Salmon responded and explained the alleged issue and detailed the ordinance is sufficient as written. He explained though that Council has the ability right now to amend this language. He broke down the differences.

1st - EK

2nd - MP

yes by all for the amendment; to be provided for inclusion by attorney.

<b>RESULT:</b>	<b>ADOPTED BY CONSENT VOTE [6 TO 1]</b>
<b>MOVER:</b>	Karen Orgen, Councilwoman
<b>SECONDER:</b>	Mark J. Schwartz, Councilman
<b>AYES:</b>	Katz, Schwartz, Orgen, Pagan, Gee, Goldberg
<b>NAYS:</b>	Denise Belcher

TOWNSHIP OF TEANECK  
BERGEN COUNTY, NJ

**ORDINANCE NO. 11-2024 ADOPTING RULES AND REGULATIONS  
RELATED TO CHICKEN HENS BE IT RESOLVED BY THE  
TOWNSHIP COUNCIL OF THE TOWNSHIP OF TEANECK THAT  
ORDINANCE #11-2024 PASS UPON SECOND AND FINAL READING  
AND THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND  
DIRECTED TO ADVERTISE THE SAME ACCORDING TO LAW AND  
TO PROVIDE THE APPROPRIATE NOTICES IN ACCORDANCE WITH  
LAW.**

**WHEREAS**, residents within the Township of Teaneck have expressed a desire to keep and maintain chicken hens for enjoyment as pets and for the gathering of eggs; and

**WHEREAS**, the Township has researched the regulation of backyard chickens and other egg-laying poultry on residential property within the Township; and

**WHEREAS**, the Mayor and Township Council wish to allow for regulated ownership of chicken hens for the reasons as stated above, while also ensuring that the Township's Health Department has authority sufficient to enforce any nuisance complaint that may arise.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council that:

**SECTION II.** Section 6-5, "Keeping of pigs, horses, and certain other animals prohibited," of Article 1, "In General," of Chapter 6, "Animals and Fowl," of the Township Code is hereby amended as follows:

**Sec. 6.5. Keeping of Chicken Hens and Certain Other Animals.**

- A. The keeping and maintenance of chickens and other egg-laying poultry on residential property that is farmland assessed pursuant to the provisions of N.J.S.A. 54:4-23.1, the "Farmland Assessment Act of 1964," is not subject to the provisions of this Chapter.
- B. Except as otherwise permitted herein, no person shall keep or allow to be kept in any building or premises, or on any lot of ground of which he may be the owner, tenant, lessee, or occupier, any pigs, horses, mules, cows, pigeons, or poultry of any age or description.
- C. Notwithstanding the above, the keeping of not more than six (6) chicken hens is permitted on single-family residential properties subject to the following conditions and limitations.
  - 1. Persons seeking to keep or maintain chicken hens shall be required to obtain a biennial permit from the Township's Health Department.
  - 2. The permit period shall be from January 1 of the calendar year in which the license is granted until December 31 of the calendar year following the one in which the license is granted. For example, if a permit is granted effective January 1, 2025, it shall be valid until December 31, 2026.
  - 3. The Health Officer or their designee shall maintain a copy of an application for

said permit, which shall set forth:

- a. The name, address, telephone number and email address of the owner and tenant, if applicable, of the premises for which the permit is sought;
  - b. The address of the premises for which the permit is sought;
  - c. The number of chicken hens proposed to be kept;
  - d. The dimensions and square footage of the chicken coop (“Coop”) and of the chicken enclosure proposed to be used to house the hens (“Run”);
  - e. Sketch(es) of the location of the coop and chicken enclosure relative to the structure of the property and any surrounding properties, indicating the distances from the property lines and the doors or window of any dwelling or occupied structure, other than the owner’s dwelling;
    - i. All Coops and Runs shall not be situated less than 25 feet from any dwelling or occupied structure, other than the owner’s dwelling. The 25-foot requirement may not be waived, even with approval from the surrounding property owners. The location of all Coops and Runs must additionally comply with all applicable setback requirements under the Township Code.
  - f. Maintenance plan(s) describing cleaning schedule, pest and predator control measures, and nuisance prevention measures; and
  - g. Verification that the applicant has read and understands the requirements of this ordinance and any subsequent regulations the Township Council may impose.
4. The Health Officer or their designee shall act upon such application based upon the standards set forth in this section within thirty (30) days of the date of application.
  5. Permit renewals shall not require the information stated above except upon a material change to the coop and run. Inspection by the issuing authority shall be necessary for a permit renewal, which shall be at the Health Officer’s discretion.
  6. Applicants shall be required to pay any permit fee identified in Schedule III, “Fees and Charges,” of Chapter 2 of the Township Code. Such fees shall not be prorated.
  7. Coops and Runs shall meet the following specifications:
    - a. All chicken hens shall be confined in Coops and Runs conducive to the health and safety of both the chickens and the public. Such Coops and Runs shall be located outside of, and completely apart from, any building used wholly or in part for dwelling purposes.
    - b. Each Coop or Run shall provide a cumulative minimum of three (3) square feet of usable floor space per chicken.

- c. Coops shall be kept dry and well-ventilated, have an impermeable roof, and be enclosed on at least three sides.
  - d. A sufficient number of roosts shall be provided for each individual chicken kept.
  - e. Coops and Runs shall have adequate flooring made of an impermeable material to catch all droppings excreted by each chicken while on the roosts.
  - f. Coops and Runs shall have at least one nesting box for every three chickens kept. Each nesting box shall be of a minimum size of twelve (12) inches by twelve (12) inches.
8. The Coops and Runs shall be constructed with adequate security so as to prevent the entry of predators and vermin.
9. Coops and Runs, and outdoor enclosures shall comply with the following regulations:
  - a. The Coops and Runs shall be kept in a clean and sanitary condition and free of odors at all times.
  - b. All feed for chicken hens, when not in use, shall be stored in a metal container fitted with a cover. Feed shall be dispensed from a suitable feeding trough, or similar container, and not scattered about the premises, coop, or run.
  - c. All droppings, feculent matter and waste shall be removed. The removed waste shall be removed from the premises, or otherwise disposed of in a manner as shall be to prevent the inhalation of aerosolized fecal matter, odor, and the attraction of pests. If deemed necessary, the coop shall be cleaned more frequently and disinfected.
  - d. Drinking fountains in the run where the Coops and Runs are located shall be cleaned and supplied with clean water at all times.
  - e. Coops and Runs shall be inspected by the issuing authority upon receipt of a complaint. The property owner shall grant access for the Coops and Runs to be inspected.
  - f. Coops and Runs containing chicken hens shall comply with the requirements for accessory structures as set forth in Section 33-249(a)(4)e of Article V, "Zoning," of Chapter 33, "Development Regulations," of the Teaneck Township Code, provided further that Coops and Runs shall be kept no less than 25 feet from the door or window of any dwelling or occupied habitable structure, other than the owner's dwelling.
10. Chickens, hatching eggs, and day-old-chicks purchased from outside of New Jersey must meet import requirements pursuant to N.J.A.C. 2:3-71, et seq.
11. All persons issued a permit hereunder shall report sick or unexplained bird deaths immediately to the New Jersey Department of Agriculture, Division of Animal

Health at (609) 671-6400, [state.veterinarian@ag.nj.gov](mailto:state.veterinarian@ag.nj.gov) <<mailto:state.veterinarian@ag.nj.gov>>, or by any other means.

12. Prohibitions.

- a. No person shall keep roosters.
- b. No live chicken hen shall be permitted to fly or run at large outside the enclosed area, except in a fully enclosed yard under the supervision of a property resident aged eighteen (18) or older.
- c. No poultry food shall be scattered about any premises.
- d. Sale of chicken eggs from any chicken hen permitted by this Chapter is prohibited. Use of chicken hens is strictly limited to an accessory use subordinate to the residence, and no commercial use of the chicken hens is permitted.
- e. The slaughter of chickens or their willful abandonment is prohibited.
- f. No person shall commit any act which constitutes cruelty to chickens as set forth in N.J.A.C. 2:8-4.1, et seq.

**SECTION II.** Section 6-7, “Revocation of permit” of Article 1, “In General,” of Chapter 6, “Animals and Fowl,” of the Township Code is hereby amended as follows:

**Sec. 6-7. Revocation of Permit.**

The permits referred to in Sections 6-5 and 6-6 of this Article, if granted, shall be revocable by the Health Department upon reasonable notice and an opportunity for public hearing to the permittee, in the event that the exercise of the permit granted shall result in demonstrable evidence that a public health hazard has arisen or that there is a repeated failure by licensee to comply with any part of Section 6-5 and 6-6.

**SECTION III.** Section 6-8, “Inspection of premises prior to granting permit,” of Article 1, “In General,” of Chapter 6, “Animals and Fowl,” of the Township Code is hereby amended to read as follows:

**Sec. 6-8. Inspection of Premises Prior to Granting Permit.**

- A. The permit referred to in Section 6-5 of this Article shall not be granted unless satisfactory evidence shall be presented to the Health Department, by information provided as required to be set for in the application indicated in Section 6-5, that the granting of such permit will not be productive of unsanitary or offensive conditions in the neighborhood in which the permit is to be exercised.
- B. The permit referred to in Section 6-6 of this Article shall not be granted unless satisfactory evidence shall be presented to the Health Department, by an inspection of the premises or otherwise, that the granting of such permit will not

be productive of unsanitary or offensive conditions in the neighborhood in which the permit is to be exercised.

**SECTION IV.** Appendix III, Fees and Charges of Chapter 2 of the Township Code, is hereby amended to add thereto the following fee under the Department of Health, other:

<u>Type of Service</u>	<u>Fee</u>
Keeping of Chicken Hens	\$25.00
Reinspection in any calendar year (if more than one (1), per re-inspection)	\$50.00

**SECTION V.** Subsection (k) of Section 21-28, “Responsibility of owner for general maintenance of dwelling,” of Article III, “Standards for Dwellings Generally,” of Chapter 21, “Health and Sanitation,” of the Township Code shall be amended as follows:

(k) The dwelling and surrounding premises shall be maintained free from vermin, insect pests, and rodents.

**SECTION VI.** All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

**SECTION VII.** If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

**SECTION VIII.** This Ordinance shall take effect after passage and publication in the manner provided by law.

ATTEST:

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Doug Ruccione  
Township Clerk

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Michael Pagan,  
Mayor