

**THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO. 14-10**

1st Reading 5-13-14

Date to Mayor 5-29-14

2nd Reading &  
Public Hearing 5-27-14

Date Returned \_\_\_\_\_

Date Adopted:  
5-27-14

Date Resubmitted to Council \_\_\_\_\_

Approved as to Form of Legality

Effective Date:  
6-16-14

\_\_\_\_\_  
Township Attorney

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD CHAPTER 421, LIVE ANIMAL SLAUGHTERING AND PROCESSING FACILITIES, AND TO AMEND CHAPTER 172, FEES

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
<b>Keyes-Maloney</b>	X					
<b>Schroth</b>	X					X
<b>Steward</b>	X				X	
<b>Wollert</b>			X			
<b>Baxter</b>			X			

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
<b>Keyes-Maloney</b>	X					
<b>Schroth</b>	X					X
<b>Steward</b>	X					
<b>Wollert</b>	X				X	
<b>Baxter</b>	X					

By \_\_\_\_\_ Date \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected \_\_\_\_\_  
Mayor

Reconsidered  
By Council \_\_\_\_\_ Override Vote YEA \_\_\_\_\_ NAY \_\_\_\_\_

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Municipal Clerk

**THE TOWNSHIP OF EWING  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE NO. 14-10**

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD CHAPTER 421, LIVE ANIMAL SLAUGHTERING AND PROCESSING FACILITIES, AND TO AMEND CHAPTER 172, FEES

**BE IT ORDAINED** by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Section 1 Chapter 421, ANIMAL SLAUGHTERING AND PROCESSING FACILITIES, is hereby added to read as follows:

**Part III: Health Legislation:**

**Chapter 421 ANIMAL SLAUGHTERING AND PROCESSING FACILITIES**

**§ 421-1 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

ANIMAL The term includes and only includes poultry, rabbits, goats, and sheep that are raised for human consumption. The term shall not include any animals not explicitly identified, including but not limited to cattle, swine and deer.

ANIMAL SLAUGHTERING AND PROCESSING FACILITY A food establishment occupied or used for the slaughtering, dressing, or eviscerating of live poultry, rabbits, goats, and sheep to be offered for wholesale or retail use, either for profit or not for profit, or any place wherein a similar operation is conducted, including all detached buildings or rooms under the control of the operator of such establishment and used in any capacity in connection with the operation of such establishment.

HEALTH OFFICER The Health Officer of the Board of Health or any of his duly authorized representatives.

NOTICE OF CLOSURE A public notice posted by the Health Officer at the public entrance of a premises wherein an animal slaughtering and processing facility is operated and that results in the immediate closure of the establishment and the discontinuance of all operations, by order of the Health Officer, because of violations of applicable federal, state, and local regulations, orders, embargos, or quarantines.

OFFAL Refuse, trash, wastes, and butchered animal parts, including those which are not considered edible.

PERSON IN CHARGE The individual present at an animal slaughtering and processing facility who is responsible for the operation at the time of inspection.

POULTRY Any domesticated bird (chickens, turkeys, ducks, geese, or guineas) and any migratory waterfowl, game bird, or squab such as pheasant, partridge, quail, grouse, or guineas that has been raised for human consumption. The term shall not include ratites.

PREMISES The animal slaughtering and processing facility's building, its contents, and the contiguous land or property under the control of the licensee.

RATITE A flightless bird such as an emu, ostrich, or rhea.

**§ 421-2 Conformance with regulations; more restrictive laws to control.**

- A. No person shall operate an animal slaughtering and processing facility in the Township, whether for compensation or not, without complying with the requirements of this

chapter, as well as the regulations of the United States Department of Agriculture and the State of New Jersey, including the New Jersey Administrative Code at N.J.A.C. 8:24-1.1 et seq., as the same may be from time to time amended and supplemented.

- B. In all allied matters that are regulated by the laws of the State of New Jersey, such laws shall control where the requirements are in excess of this chapter. This chapter shall control in all cases where the state law requirements are less than herein contained.

**§ 421-3 License required.**

- A. No person, persons, firm or corporation shall hereafter operate an animal slaughtering and processing facility within the limits of the Township or permit the operation of any of the same within his establishment unless and until a license therefor is first obtained from the Board of Health of the Township.
- B. Anyone operating an animal slaughtering and processing facility within the Township as of the effective date of this chapter must apply for a license for same by December 1 of the year that the chapter takes effect.

**§ 421-4 Restriction on location and number of licenses.**

- A. The proposed animal slaughtering and processing facility must be located in the IP 3 zone as it appears on the Zoning Map of the Township.
- B. The Board of Health shall not issue more than one (1) animal slaughtering and processing facility license to operate in the Township in any such zone where permitted.

**§ 421-5 Application for license; renewal of license.**

- A. Any person desiring a license to operate an animal slaughtering and processing facility shall apply to the Board of Health, in writing, on forms promulgated and supplied by the Board of Health. Such forms shall be duly verified by the applicant.
- B. No license to operate an animal slaughtering and processing facility shall be issued by the Board of Health unless:
  - (1) A valid certificate of occupancy issued by the Construction Official has been issued for the premises. A certificate of occupancy shall be required for any animal slaughtering and processing facility that has been renovated or has changed ownership.
  - (2) A certification from the Zoning Officer that the location of the business is in compliance with zoning codes. Such certification shall be required for any animal slaughtering and processing facility that has been renovated or has changed ownership.
- C. At least 30 days prior to expiration of a license to operate an animal slaughtering and processing facility, the licensee shall make an application for renewal with the Board of Health.

**§ 421-6 General license provisions; plans required for renovations, expansions, or alterations.**

- A. Each license to operate an animal slaughtering and processing facility issued by the Board of Health shall contain a registration number and the date of expiration, and no such license shall be transferable to another person or entity or from premises to premises.
- B. The license shall be posted in a conspicuous place near the public entrance of the establishment where it may be readily observed by all patrons.
- C. Licenses shall be valid for a calendar licensing period commencing January 1 and ending December 31. All licenses issued during the course of a calendar year shall expire on December 31 of that year, regardless of the date issued.

- D. License holders shall notify the Board of Health within 10 calendar days in writing of any change in the owner's contact information.
- E. Any person desiring to renovate, expand or substantially alter an existing animal slaughtering and processing facility shall submit plans and specifications to the Board of Health for review and final approval prior to the issuance of any building permits and prior to such renovations, expansions or alterations taking place.

**§ 421-7 General prohibitions.**

- A. No animal not explicitly identified in this chapter shall be kept, displayed, slaughtered, dressed, or eviscerated in any premises licensed as an animal slaughtering and processing facility.
- B. No live animal shall be kept, displayed, slaughtered, dressed or eviscerated in the same room as another species of animal.
- C. Live animals shall not be allowed to run at large upon the licensed premises but shall be kept in cages or crates. No animal shall be permitted to run at large on streets, sidewalks, or any other area off of the licensed premises.
- D. No animal feed shall be scattered on floors. All spillage of feed shall be promptly removed.
- E. No person shall offer for human consumption any animal, whether alive or slaughtered, which is diseased, unfit, or may have died from any other causes other than by slaughter.
- F. No overfed live animal shall be permitted to be brought into or bred in the Township.
- G. No animal shall be kept in a place in which water, ventilation, food, or any other similar items are not sufficient and wholesome for the preservation of the health and safe condition of such animal.
- H. No animal shall be kept in any enclosure that is infested.
- I. Plucking shall not be carried on in a room used for slaughtering or cleaning.

**§ 421-8 Care of live animals; animal enclosures.**

- A. All animals shall be kept in a clean and sanitary manner at all times.
- B. All live animals shall be confined in suitable enclosures such as cages or crates. The confining of live animals directly on floors of the premises such as in pens, open coops, or similar enclosures is prohibited. Enclosures shall not be overcrowded with live animals so as to result in injury to the animal or restrict movement of the animal confined therein.
- C. Animals shall be segregated by species.
- D. All cages and/or crates shall be kept in a clean and a sanitary condition at all times.
- E. All live animal cages, crates, or enclosures shall be in good repair and constructed of easily cleanable, noncorrosive, and nonabsorbent material. Cages, crates, and enclosures shall be raised from the floor at least six inches so as to permit flushing and cleaning underneath the same. All cages, crates, or enclosures shall be cleaned and disinfected in a manner approved by the Board of Health.
- F. A sufficient number of roosts to provide roosting space for each individual specimen of poultry kept in any enclosure and a sufficient number of properly placed collection pans to catch all droppings excreted by poultry while on the roost shall be provided. Collection pans shall be easily cleanable, nonabsorbent, and noncorrosive. Collection pans shall be kept clean and free of excessive excrement and other wastes. Collection pans shall be cleaned and disinfected in a manner approved by the Board of Health.
- G. Animal cages, crates, and enclosures shall be arranged to allow a clear passageway to the public and for cleaning.

- H. Ample supply of wholesome food and clean water shall be provided for all live animals. Troughs, bowls, or similar containers used for food and water shall be kept clean, in good repair, and placed in such a manner so as to prevent contamination of food and water kept therein.

**§ 421-9 Requirements for premises.**

- A. All parts of the premises shall be kept in a sanitary condition at all times.
- B. The flooring of live animal slaughtering and processing facilities shall be composed of material that is impervious to moisture and shall be properly graded to prevent pooling of liquid or waste and permit adequate drainage to floor drains. All floors shall be kept clean and in good repair.
- C. Walls and ceilings in live animal storage rooms, equipment washing rooms, rooms used for plucking, rooms used for slaughtering, and rest rooms shall be comprised of smooth, light-colored, moisture-proof, and washable material. All walls shall be kept clean and in good repair.
- D. All rooms within the premises shall be properly lighted and ventilated. Mechanical ventilation of sufficient capacity to keep all rooms free of excessive heat and obnoxious odors shall be provided and shall ventilate to open air. Such systems shall be maintained in a clean manner and in good repair and shall be designed and operated so as to prevent obnoxious odors from entering adjacent properties.

**§ 421-10 Required washing and rest room facilities.**

- A. All animal slaughtering and processing facilities shall be equipped with adequate preparation sinks with hot and cold running water under pressure in rooms used for slaughtering and plucking. Such sinks shall be used for the cleaning of animals.
- B. All animal slaughtering and processing facilities shall be equipped with a three-compartment sink to permit washing, rinsing, and sanitizing of utensils, removable contact surfaces, processing equipment, and similar items. Each compartment shall be of suitable size so as to permit the full immersion of the largest utensil, removable contact surface, processing equipment, and similar items under water. The sink shall dispense hot and cold water under pressure. Three-compartment sinks shall not be used for hand washing or the cleaning of animals. Methods of sanitization, including the chemical sanitizers, shall be approved by the Board of Health.
- C. Adequate hand-washing facilities, including hot and cold running water under pressure, hand soap, and disposable towels shall be provided in all toilet rooms and in any other locations on the premises used for plucking, slaughtering, dressing, or any other activity where the nature of work requires frequent use of such facilities. Use of common towels or bar-type soap is prohibited. Hand-washing signs approved by the Board of Health shall be posted at hand-washing facilities.
- D. Adequate rest room facilities shall be provided on the premises. Doors to rest rooms shall be self-closing. Rest rooms shall be kept in clean and good repair.
- E. All plumbing in the premises shall be so arranged, designed, installed, and maintained so as to prevent contamination of the water supply, food, and equipment.

**§ 421-11 Equipment maintenance.**

All equipment used for slaughtering, dressing, eviscerating, and similar butchering shall be kept in good repair, clean, free from dust, excessive residue, insects, or any other contaminating material. Equipment shall be washed, rinsed, and sanitized in accordance with a schedule and in a manner approved by the Board of Health.

**§ 421-12 Waste disposal.**

- A. All waste in animal slaughtering and processing facilities shall be disposed of daily and all inedible products and trash shall be kept in tight, vermin-proof, nonabsorbent, and

easily washable receptacles which are covered with close-fitting lids pending removal. Offal resulting from the operation of such establishments shall be handled, stored, and removed so as to prevent nuisances, disagreeable odors, or contamination of edible products.

- B. All areas where wastes are stored shall be kept in a sanitary manner.
- C. The curbside and public roadway directly in front of the establishment shall be cleaned in a manner approved by the Board of Health after the delivery of animals, after waste removal, and as often as necessary to maintain such areas free of unsanitary conditions. Offal and other solid wastes shall not be washed, flushed, swept, or permitted to enter into municipal storm drains.

#### **§ 421-13 Rodent and insect control.**

Openings to the outside shall be properly screened, closed, or sealed so as to prevent the entry of vermin. All parts of the premises shall be maintained free of vermin.

#### **§ 421-14 Disease control.**

- A. No person with any disease in a communicable form, or who is a carrier of such disease, shall work in an animal slaughtering and processing facility or in any capacity which brings him into contact with the production, handling, storage or transportation of food, beverages, ingredients or equipment used in the operation of an animal slaughtering and processing facility.
- B. No operator shall employ in any such capacity any such person or any person suspected of having any disease in a communicable form or of being a carrier of such disease. Any operator among whose employees there occurs a communicable disease or who suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease shall notify the Health Officer immediately.
- C. When suspicion arises as to the possibility of transmission or infection from any employee, the Health Officer is authorized to require any or all of the following measures:
  - (1) The immediate exclusion of the employee from all animal slaughtering and processing facility operations.
  - (2) The immediate closing of an animal slaughtering and processing facility operations until, in the opinion of the Health Officer, no further danger of disease outbreak exists.
  - (3) Adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

#### **§ 421-15 Inspections; right of entry.**

- A. The Health Officer may inspect all animal slaughtering and processing facilities as often as he deems necessary.
- B. The Health Officer, after proper identification, shall be permitted to enter, at any reasonable time, upon any private or public property within the Township where animal slaughtering and processing facilities are operated for the purpose of determining compliance with the provisions of this chapter. The licensee or person in charge of the animal slaughtering and processing facility location shall make provisions for the Health Officer to have access, either in company with an employee or otherwise, to all portions of the premises.

#### **§ 421-16 Revocation of license; closure.**

- A. The Health Officer or his designee may revoke and remove the license for or suspend operations of an animal slaughtering and processing facility at any time and summarily

order the establishment closed when, in the opinion of the Health Officer or his designee, such action is necessary to abate an existing or threatened menace to public health.

- B. The Health Officer or his designee shall post a notice of closure at the public entrance of the establishment where it may be visible to the public. The notice of closure shall remain posted until removed by the Health Officer or his designee. No person shall conceal or mutilate any notice of closure or remove it except by permission of the Health Officer.
- C. In summarily ordering an establishment closed, the Health Officer or his designee may request assistance from public safety officers of the Township. Immediate closure shall be in addition to and shall supplement any other penalty or remedy that may be authorized by N.J.A.C. 8:24-1.1 et seq., or the Code of the Township, as the same may be from time to time amended and supplemented.
- D. A person whose license has been revoked shall close the establishment and request all patrons to vacate the premises.
- E. A person whose license has been revoked shall have the right to apply to the Township to reinstate that license pursuant to this code's appeal procedures.

**§ 421-17 Enforcement.**

- A. The provisions of this chapter shall be enforceable by the Township Health Officer or his designee.
- B. It shall be unlawful for any person to hinder, molest or interfere with anyone authorized to enforce the provisions of this chapter.
- C. This chapter shall not be enforced as to any religious observances.

**§ 421-18 Violations and penalties.**

The general penalty provisions of the Code of the Township shall govern violations of this chapter

Section 2 §172-33 ANIMAL SLAUGHTERING AND PROCESSING FACILITIES, is hereby added to read as follows:

**§ 172-33 Animal Slaughtering and Processing Facilities.**

- A. License to operate an animal slaughtering and processing facility and annual renewal thereof: \$250.00.
- B. Duplicate license fee: \$25.00.
- C. Initial and revised floor plan and specification reviews: \$50.00.
- D. Late fee for licenses renewed after January 15 following expiration of a license to operate an animal slaughtering and processing facility: \$50.00.

Section 3 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 4 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 5 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Adopted: