

ORDINANCE OF THE CITY OF GLOUCESTER CITY
County of Camden, State of New Jersey
#O- 05 -2016

**AN ORDINANCE REGULATING THE CONTAINMENT OF FOWL AND OTHER
ANIMALS WITHIN THE CITY OF GLOUCESTER CITY**

Whereas the City of Gloucester City has concern for regulating and protecting the health and public safety of its citizens; and

Whereas the City of Gloucester City recognizes that there are certain benefits for the keeping of chicken and other fowl, including but not limited to the availability of fresh eggs;

Whereas the City of Gloucester City recognizes that the keeping of chickens or other domestic fowl can be a family friendly experience;

Whereas the City of Gloucester City has determined that keeping chicken or other domestic fowl requires the imposition of certain safeguards and standards to ensure the activity is properly regulated to prevent against nuisance related activities and to ensure proper health and safety; and

Whereas it is the intent of the City of Gloucester City that, notwithstanding the provisions of this Ordinance, in order to benefit from the provisions any respective homeowner will be required to review their respective property deeds for any deed restrictions against such use, where the rules and regulations of any homeowners association, to determine whether or not the keeping of chickens would be contractually prohibited on their real property, nothing within this Ordinance shall override any such restrictions.

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

Section 1. Standard for Keeping Chickens

- A. Minimum Lot Size. A minimum lot size of fifty (50) x one hundred (100) feet is required to keep chickens or other domestic fowl pursuant to the section. Keeping of chickens or other domestic fowl shall only be permitted in RL zones of the City.
- B. Prohibited Areas. It shall be unlawful for any person to keep, permit or allow any fowl within the City of Gloucester City in any other zone except the RL zone and it shall be unlawful for any person to permit or keep any fowl in the RL zone if the property is a multifamily complex, a duplex, and all commercial properties.
- C. Number of Fowl Allowable. No more than three (3) hens shall be allowed per permitted dwelling.
- D. Roosters and Cockerels are prohibited.
- E. Slaughtering shall not be permitted within the City limits.

- F. Required Shelters.
1. Fowl shall be provided a completely enclosed shelter with a fenced enclosure. Shelters and enclosures shall be located in the rear of the yard.
 2. Shelters and enclosures shall be not less than twenty (20) feet from the property line.
 3. The shelter/enclosure shall be constructed shall be at least two (2) feet above the surface of the ground and shall have a concrete or brick base and/or foundation.
 4. Shelter shall not exceed sixty (60) square feet in size nor eight (8) feet in height.
 5. Fences shall not exceed six (6) feet in height.
 6. Enclosure shall be kept in a neat, sanitary condition at all times and must be cleaned on a regular basis shall as to prevent offensive odors or disturbances of the peace.
- G. Waste Storage. Storage of manure, excreta, other waste odor or dust producing substances associated therewith shall be located at least twenty (20) feet from any lot line, and shall be properly composted per health code and USDA guidelines or kept in a watertight container until it can be disposed of in a proper fashion off site.
- H. Feed Storage. Animal feed stored outdoors shall be kept in vermin proof containers, which shall be metal with tight fitting lids.
- I. No Running at Large. No person owning, keeping, maintaining, harboring an animal subject to this Ordinance shall permit, suffer or allow such animal to run at large upon any public streets or upon any private property or in any area of their property other than the rear yard.
- J. No Disturbing of the Peace. No person owning, keeping, maintaining or harboring an animal under this Ordinance shall permit, suffer or allow such animal to disturb the peace or quiet of the neighborhood by creating a noise across a residential property line continually for ten (10) minutes or intermittently for thirty (30) minutes, unless provoked.
- K. Enclosures. Enclosures referenced within this Ordinance must be constructed of proper wire and pressure treated materials and kept in good condition at all times.
- L. Permit. A permit shall be required to permit the keeping of fowl under this Ordinance. Said permit shall require approval by the Zoning Officer, if all land use requirements are meant, otherwise approval by the Zoning Board in the form of a variance. The permit fee shall be \$50.00 annually and shall be payable to the building and housing department. An inspection will take place annually as part of the annual fee payment.
- M. Penalty. Any person owning, keeping, maintaining or harboring a fowl, who violates any provision of this Ordinance or fails or refuses to comply with the provisions of this Ordinance shall be liable for penalties as prescribed under the Property Maintenance Codes Chapter's 55 and 66 of the Gloucester City Code and of the Gloucester City Development Ordinance.

- N. The restrictions of this ordinance shall not apply to agricultural properties qualifying under the Right to Farm Act.
- O. Notice of Disease. If any animals subject to this Ordinance perish due to disease or suspected disease the home owner shall immediately notify the City of Gloucester City and the Camden Board of Health.

- Section 2.** No Grandfathering. Fowl currently existing in the city shall not be grandfathered or permitted to remain after the effective date of this Ordinance. However, owners of poultry will have fifteen (15) days of the effective date to come into compliance with this Ordinance.
- Section 3.** Violations. Violations of this Ordinance not corrected shall be subject to a Court Complaint. Upon conviction, violators may be fined up to \$1,000.00 per day. Notice and violations shall be required to advise the recipient that if the violation is not corrected or abated, the municipality will pursue remedies in municipal court and any fines assessed shall become a lien on the subject property, if unpaid within 30 days of the assessment.
- Section 4.** Repealer. All other Ordinances of the City of Gloucester which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.
- Section 5.** Severability. If any part of this Ordinance shall be invalid, such parts shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.
- Section 6.** Effective Date. This Ordinance shall become effective upon publication in accordance with state law.


William P. James, Mayor

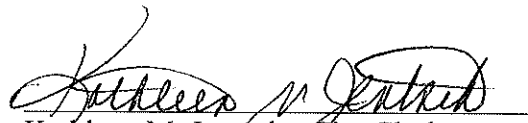
Passed on First Reading: Jan 21, 2016

Adopted by the Mayor and Common Council of Gloucester City this 18th day of Feb,
2016.

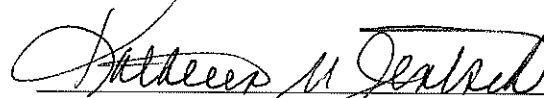

Kathleen M. Jentsch, City Clerk

PUBLIC MEETING

NOTICE is hereby given that the foregoing ORDINANCE was introduced and passed at a meeting of the Common Council of the City of Gloucester City, County of Camden, New Jersey, held on the 21st day of January, 2016, and will be considered for final passage after a public hearing at a meeting of the Common Council of the City of Gloucester City to be held on the 18th day of February, 2016 at 7:00 pm in the evening prevailing time at 512 Monmouth Street, Gloucester City, New Jersey.


Kathleen M. Jentsch, City Clerk

I hereby certify that the foregoing ORDINANCE was approved for final adoption by the Mayor and Common Council of the City of Gloucester City, County of Camden, State of New Jersey at a regularly scheduled meeting held on the 18th day of Feb 2016


Kathleen M. Jentsch, City Clerk