

## **ORDINANCE NO. 2025-03**

### **ORDINANCE OF THE BOROUGH OF AUDUBON PARK, COUNTY OF CAMDEN AND STATE OF NEW JERSEY PERMITTING BACKYARD CHICKENS**

**WHEREAS**, the Borough of Audubon Park (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County; and

**WHEREAS**, the keeping of chickens and other fowl and livestock is not permitted by the Borough Code; and

**WHEREAS**, the State of New Jersey encourages municipalities to promote sustainable programs; and

**WHEREAS**, the keeping of “backyard chickens” is a means by which sustainability can be achieved; and

**WHEREAS**, the Borough Council adopted Ordinance 2022-04, establishing a backyard chicken pilot program; and

**WHEREAS**, the Borough Council has determined the pilot program to be successful and wishes to permanently establish rules and regulations concerning the keeping of backyard chickens; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Audubon Park, County of Camden, and State of New Jersey, that backyard chickens are permitted in the Borough of Audubon Park subject to the rules and regulations as follows:

#### **SECTION 1: Chickens Permitted.**

Keeping of backyard chickens shall be permitted in the Borough of Audubon Park subject to the rules and regulations as specified in this Ordinance.

#### **SECTION 2: Participation; Location; Restrictions.**

A. Residents of single-family homes or residents of "twin" homes or "row" homes which meet the criteria set forth in this section shall be eligible to keep backyard chickens.

B. No more than 30 licenses may be issued at any one time. Any additional households wanting to participate may be considered on an individual basis by the Chicken Advisory Board established pursuant to this Ordinance in conjunction with the liaison to the governing body.

C. There shall be a limit of four (4) chickens per license. No roosters are permitted.

D. The coop must have an enclosed run for chickens to access an area outside of the coop. The coop and enclosed run shall be kept at least twenty (20) feet from the habitable portion of the neighboring residential dwelling and five (5) feet from the property line. Garages, attached or otherwise, and accessory buildings shall not be considered a "residential dwelling" for purposes of calculating the required distance. Chickens may roam outside of the coop and run areas in a backyard suitably fenced to keep them contained provided that a person licensed to own backyard chickens in Audubon Park is present the entire time.

### **SECTION 3: License Required; Fee; Expiration; Class.**

A. No person shall keep chickens on his/her property without first obtaining a license from the Municipal Clerk's office and paying the required fee therefor. No license shall be issued unless the applicant therefor has demonstrated compliance with all criteria set forth in this Ordinance. Every license issued pursuant to this Ordinance shall expire on December 31 of each year.

B. A license fee of \$10 shall be paid for each license issued pursuant to this Ordinance.

C. Any applicant wishing to keep backyard chickens shall be required to take a class on the basics of raising backyard chickens. Proof of attendance must be presented with the completed application. The Borough will provide a class minimally once a year at a nominal fee for anyone who has not previously met this requirement. The handling of this class will be the responsibility of the Chicken Advisory Board. A member of the Chicken Advisory Board will review the application with the applicant prior to final submission.

### **SECTION 4: Requirements for Coops; Slaughter of Chickens; Waste.**

A. The coop shall be at least two (2) square feet per chicken, with a maximum coop size of one hundred (100) square feet.

B. The coop shall be dry and well-ventilated with windows to admit sunlight.

C. The coop must be kept clean.

D. The coop and enclosed run must be made predator-proof.

E. Clean water must be provided, and food must be kept tightly closed in a metal container away from the coop and run at night.

F. The yard in the area where the coop is located shall be clean and free from odors.

G. There shall be no slaughter of chickens in the Borough.

H. Waste will be handled in such a way as proper composting to prevent offensive odors or disposed in an environmentally friendly manner.

I. There shall be no selling of eggs.

J. The maximum permitted height of any chicken coop structure(s), whether or not said coops are stacked, shall be six (6) feet six (6) inches as measured from the natural grade.

#### **SECTION 5: Creation of “Chicken Advisory Board”; Complaints.**

A. A Chicken Advisory Board consisting of five (5) members of the community and/or surrounding communities shall be formed. The Chair will be appointed to a one (1) year term by the Mayor. The Chair will select the other four (4) members, with approval of the Borough Council, who will also serve for one (1) year. Besides the Chair, of the remaining members, one will be appointed Vice-Chair and the other, Secretary of the Board.

B. The Board shall meet on a regular basis upon adequate public notice as specified in the New Jersey Open Public Meetings Act and keep minutes which shall be submitted along with quarterly reports to the governing body via the Borough Council member selected by the Borough Council as liaison to the Chicken Advisory Board. These reports will include any activities of the Board, as well as any complaints from residents concerning backyard chickens and the resolution, if any, of those complaints.

C. When a complaint is received by the Borough concerning any of the provisions in this Ordinance, it will be forwarded to the Chicken Advisory Board for investigation by two members of the Board. If the Board finds a violation of this Ordinance, solutions will be discussed with the offending resident to allow them to meet the requirements of the pilot program as soon as possible. However, if after thirty (30) days, the violation has not been remedied, the Borough Council liaison will be notified so that enforcement proceedings can be implemented. The Chicken Advisory Board will assist anyone desiring to no longer participate in the backyard chicken program to relocate their chickens.

#### **SECTION 6: Revocation of License.**

Failure to comply with the conditions and regulations set forth in the Ordinance shall result in revocation of the license after notice and a hearing before the Borough Council.

#### **SECTION 7: Violations and Penalties.**

Any person who violates any provision of this Ordinance shall, upon conviction in Municipal Court or any such other court having jurisdiction, be sentenced to a fine not exceeding one thousand two hundred and fifty dollars (\$1,250.00), or imprisonment for a term not exceeding ninety (90) days, or community service for a term not exceeding ninety (90) days, or all of the above. Each day that a violation occurs shall be deemed a separate and distinct offense and subject to the penalty provisions of this Ordinance.

**SECTION 8:** All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

**SECTION 9:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment

shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 10.** This Ordinance shall take effect upon passage and publication according to law.

Attest:

BOROUGH OF AUDUBON PARK

\_\_\_\_\_  
RYAN GILES  
MUNICIPAL CLERK

\_\_\_\_\_  
KAREN LEWIS  
COUNCIL PRESIDENT

Introduced:

Adopted:

Certified to be a true copy of an Ordinance adopted by the Mayor and Borough Council of the Borough of Audubon Park at a regular meeting held on \_\_\_\_\_, 2025.

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RYAN GILES, MUNICIPAL CLERK