

Article III  
Chickens

**§ 358.20. Definitions**

The following words and terms when used in this article shall be deemed to have meanings herein stated.

- Chicken - a domesticated fowl of the subspecies *Gallus gallus domesticus*.
- Mature Chicken - A chicken which has attained sexual maturity or an age of at least 3 months.
- Coop - an enclosure, cage or pen, usually with bars or wire, in which chickens are confined.
- Run - an enclosed area in which chickens are allowed to walk or run about.
- Roosts - a perch upon which chickens rest at night.
- Droppings - the excrement of chickens.
- Predator - an animal that poses a threat to chickens such as hawks, foxes, coyotes, rodents, etc.

**§ 358.21. Purpose**

- A. This ordinance and all the provisions herein shall, upon approval of the Harrington Park Board of Health, become effective March 5, 2012.
- B. No person shall raise, keep or harbor any live chickens without first obtaining a permit for that purpose from the Board of Health covering the premises intended to be so used.
- C. The provisions of this ordinance shall not be deemed to authorize the keeping of live chickens or their by-products for sale or preparation of sale.
- D. The provisions of this ordinance are intended to regulate the keeping of live chickens only. The keeping of any other types of poultry is strictly forbidden within the borough.

**§ 358.22. Permits**

- A. The permit fee for the keeping of live chickens will be \$20. The fee is intended to be an

annual fee, but when paid, shall cover only the balance of the calendar year during which the same is paid or payable.

- B. All permits issued under this ordinance shall expire on the 31<sup>st</sup> of December, following the date of issuance.
- C. The Board of Health will not issue and may revoke any licenses for the keeping of live chickens in any place that shall be deemed a nuisance to disturb persons of reasonable sensitivity residing in the vicinity of the place where such live chickens are to be kept.

#### **§ 358.23. Violations and Penalties**

- A. Any person found to be non-compliant with the regulations of this article shall be liable to a penalty as set forth in Chapter 1, Article III, Enforcement and penalties, for each offense to be recovered by and in the name of the borough. Each day for which the violation continues shall be considered a separate violation hereunder. Any person who refuses or neglects to pay the amount of a judgment against them and the costs and charges incident thereto may be committed by the court to the county jail for a period not exceeding 10 days in the event of a first offense or for a period of not exceeding 30 days for a second, subsequent or continuing violation. The provisions of this article are supplementary and in addition to any applicable laws of the State of New Jersey.

#### **§ 358.24. Enforcement**

- A. The provisions of this article shall be enforced by the Health Officer of the Borough of Harrington Park or the Board of Health of Harrington Park or its designated agent. Any person who shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this article shall be subject to a fine, upon conviction, as stated in §352-16.

#### **§ 358.25. Regulations**

- A. All mature chickens shall be confined to fully enclosed coops and runs located outside of and completely apart from any building used wholly or in part for dwelling purposes, in which people congregate or used as a food or eating establishment.
- B. No live chickens shall be permitted to fly or run at large. Such action is deemed to be a nuisance and dangerous to the public health and safety.
- C. Each animal subject to this ordinance shall be free from sickness or disease. Should the Board of Health have reasonable cause to question the health of any animal, it shall have the authority to require, after notice to the owner, an examination by a doctor of veterinary medicine; which examination shall be at the expense of the owner.

- D. The maximum number of mature chickens per permit shall be based upon the size of the covered property:
- up to 6 chickens for lots up to 20,000 square feet in area
  - Up to a maximum of 10 chickens for lots over 20,000 square feet in area

#### **§ 358.26. Maintenance**

- A. All chickens subject to this ordinance shall be housed in structures conducive to the health and safety of both the chickens and the public. The structures shall have covered tops and provide protection from predators.
- B. A sufficient number of roosts shall be provided for each individual chicken kept and adequate flooring to catch all droppings excreted by each chicken while on the roost shall be provided.
- C. Each coop or run shall provide a minimum of three square feet of usable floor space per chicken.
- D. The floors of all coops, runs and the surrounding areas of all such places shall be kept clean and dry at all times and shall be subject to periodic inspection by the Health Officer or his representative.
- E. All droppings, feculent matter and waste shall be removed weekly from each coop and buried, 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 insects and rodents.
- F. Coops and runs shall be disinfected or otherwise treated, at the owner's expense, when so directed by the Board of Health.
- G. Chickens found to be infested with insects, parasites or pathological viruses or bacteria that may result in unhealthy conditions to human habitation may be removed by an animal control officer.
- H. All food for immediate consumption shall be placed in suitable feeding troughs, or similar containers and all other food shall be stored in rodent-proof containers at all times. No food shall be scattered about the premises.
- I. Odors from chickens, chicken manure or other chicken related substances shall not be perceptible at the property boundaries.

#### **§ 358.27. Prohibitions**

- A. No other species of poultry beyond chickens shall be raised, harbored or kept within the limits of the Borough of Harrington Park.
- B. No live chickens shall be permitted to fly or run at large. Such action is deemed to be a nuisance and dangerous to the health and safety of the public and subject to penalties.
- C. It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.

**§ 358.28. Severability Clause**

- A. If any provision of this ordinance is prohibited by law or judged by a court to be unlawful, void or unenforceable, that provision shall be severed from this ordinance and rendered ineffective without modifying the remaining provisions, and shall not affect any other circumstances of or the validity or enforcement of this ordinance.

**§ 358.29. Inconsistent Ordinances Repealed**

- A. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.