

**ORDINANCE O:41-2023**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE  
TO AMEND CHAPTER 280 OF THE CODE OF THE TOWNSHIP OF MONROE,  
ENTITLED "ANIMAL CONTROL"**

**WHEREAS**, the Township Council of the Township of Monroe has recommended certain amendments to Chapter 280 of the Code of the Township of Monroe and has determined that it is in the best interest of the Township to amend this specific section.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Monroe that the Code of the Township of Monroe is hereby amended to include the amendments herein.

**SECTION I.** Chapter 280, entitled "Animal Control" is hereby amended as follows:

§ 280-18 Backyard chicken pilot program.

- A. A pilot program for the keeping of backyard chickens is hereby authorized as an exception for the above § 280-1 through § 280-17. Keeping of backyard chickens shall be permitted in the Township of Monroe subject to the rules and regulations as specified in this section. The pilot program shall terminate two years from the ~~November 22, 2021~~ August 22, 2022 effective date of the revised pilot program unless the Township Council of the Township of Monroe acts to continue same prior to that date. In the event the Township Council does not act to continue the program prior to said termination date, all persons with backyard chickens shall be grandfathered and be able to keep their chickens so long as no new ones are added and the guidelines of the pilot are maintained.
- B. The following shall be eligible to participate in the pilot program: residents of single-family homes or residents of "twin" homes or "row" homes which meet the criteria set forth in this section. If the property is located within a homeowners association's (HOA) jurisdiction, the property owner must submit written permission from the HOA for the Township of Monroe to issue any license set forth in this section.
- C. For purposes of this pilot program, no more than 50 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 Subsection J of this section in conjunction with the liaison to the governing body.
- D. There shall be a limit of six (6) chickens per license. No roosters are permitted.
- E. The coop and enclosed run shall be kept at least 20 feet from the habitable portion of the neighboring residential dwelling and five 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 area in a backyard suitably fenced to keep them contained provided that a resident age 18 or older is present the entire time.
- F. No person shall keep chickens on his or her property without first obtaining a license from the Municipal Clerk's office and paying the required fee therefor. No license shall

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be issued unless the applicant therefor has demonstrated compliance with all criteria set forth in this section. Every license issued pursuant to this section shall expire on December 31 of each year, excluding the December which occurs four months after the pilot begins. Each license shall expire within one (1) year and shall expire on December 31 of each year. Annual registration will be required for all persons seeking to keep chickens on his or her property. A license shall not be granted unless the applicant certifies that there are no deed restrictions which prevent chickens from being kept on the property. Yearly inspections shall take place at any time at the discretion of the Township and Chicken Advisory Board to ensure the licensee remains in compliance with all criteria set forth in this section. Following each inspection, the Chicken Advisory Board shall send the Township Clerk’s office a letter confirming the inspection took place for the Township’s records. If the Chicken Advisory Board determines a property is not in compliance with this section, the Board will send a confirming letter to the Township Clerk and the license shall be revoked by the Township.

- G. A license fee of \$10 shall be paid for each license issued pursuant to this section.
- H. Each applicant wishing to participate in the pilot program or desiring to keep backyard chickens thereafter in the event the pilot program is not terminated 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 Township 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. Applicants agree to allow chicken advisory committee members to inspect the property for violations pursuant to the provisions of this section.
- I. The following regulations and conditions for the keeping and housing of chickens shall be complied with:
  - (1) The coop shall be the appropriate size for the number of chickens, which shall be at least three feet by three feet of space for chickens with a maximum size of 10 feet by 10 feet. The coop shall be inspected by the Township prior to the granting of a license.
  - (2) The coop shall be dry and well ventilated with windows to admit sunlight.
  - (3) The coop must be kept clean.
  - (4) The coop and enclosed run must be made predator-proof.
  - (5) Clean water must be provided, and food must be kept tightly closed in a metal container away from the coop and run at night.

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- (6) The yard in the area where the coop is located shall be clean and free from odors.
- (7) There shall be no slaughter of chickens on site under this pilot program.
- (8) Waste will be handled in such a way as proper composting to prevent offensive odors or disposed in an environmentally friendly manner. Waste shall not be disposed of as part of the normal trash collection and recycling collection.
- (9) There shall be no selling of eggs.
- J. Each property owner receiving a license pursuant to this section consents to allowing the Township’s representatives to access said property. The Township of Monroe, by and through its appropriate representatives, will conduct an annual inspection for each property. Said annual inspection may take place at any time.
- K. A Chicken Advisory Board consisting of five members and two alternate members of the community shall be formed. The Chair will be appointed to a two-year term by the Mayor. The governing body will select the other four members who will also serve for two years. Besides the Chair, of the remaining members, one will be appointed Vice-Chair and the other, Secretary of the Board. The Board shall meet on a regular basis and keep minutes which shall be submitted along with quarterly reports to the governing body via the Township Council member selected by the Township 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.
- L. When a complaint is received by the Township, 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 section, solutions will be discussed with the offending resident to allow him or her to meet the requirements of the pilot program as soon as possible. However, if after 30 days, the violation has not been remedied, the Code Official 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 his or her chickens.
- M. Failure to comply with the conditions and regulations set forth in the section shall result in revocation of the license after notice and a hearing before the governing body. A violation of the conditions and regulations of this section which occurs during the effective period for the pilot program shall not result in additional penalties under Chapter 280 of the Township Code.

**SECTION II.** All prior Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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**SECTION III.** If any word, phrase, clause, section or provision in this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

**SECTION IV.** This Ordinance shall take effect twenty (20) days after final passage and publication as required by law.

**TOWNSHIP OF MONROE**

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**CNCL. PRES., CAROLANN FOX**

**ATTEST:**

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**Twp. Clerk, Aileen Chiselko, RMC  
or Deputy Clerk, Jennifer Harbison, RMC**

**CERTIFICATION OF CLERK**

The foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Monroe held on the 9<sup>th</sup> day of October, 2023, and will be considered for final passage and adoption at a meeting of the Township Council of the Township of Monroe to be held on 23<sup>rd</sup> day of October, 2023 at the Municipal Building, 125 Virginia Avenue, Williamstown, New Jersey 08094, at which time any person interested therein will be given an opportunity to be heard.

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**Twp. Clerk, Aileen Chiselko, RMC  
or Deputy Clerk, Jennifer Harbison, RMC**

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**ROLL CALL VOTE**

**1<sup>st</sup> Reading**

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Cncl. Adams</b>				
<b>Cncl. Garbowski</b>				
<b>Cncl. Heverly</b>				
<b>Cncl. McKinney</b>				
<b>Cncl. O'Reilly</b>				
<b>Cncl. Valcourt</b>				
<b>Cncl. Pres. Fox</b>				
<b>Tally:</b>				

**2<sup>nd</sup> Reading**

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Cncl. Adams</b>				
<b>Cncl. Garbowski</b>				
<b>Cncl. Heverly</b>				
<b>Cncl. McKinney</b>				
<b>Cncl. O'Reilly</b>				
<b>Cncl. Valcourt</b>				
<b>Cncl. Pres. Fox</b>				
<b>Tally:</b>				

The foregoing ordinance was hereby approved by the Mayor of the Township of Monroe on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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**MAYOR GREGORY A. WOLFE**