

ORDINANCE 23-4

**ORDINANCE AMENDING THE CODE OF THE BOROUGH OF STRATFORD
CHAPTER 6.04 ENTITLED “DOGS AND CATS”, TO REPLACE
SECTION 6.04.111 ENTITLED “KEEPING OF CERTAIN ANIMALS PROHIBITED”
AND
AN ORDINANCE ESTABLISHING CHAPTER 6.06 ENTITLED “HENS”**

WHEREAS, in 2003 the Borough of Stratford adopted Section 6.04.111 of the Borough Code, which listed animals prohibited in the municipality; and

WHEREAS, the Governing Body is desirous to change the animals prohibited in the municipality.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Borough Council of the Borough of Stratford, County of Camden, State of New Jersey Section 6.04.111 is replaced with the following:

SECTION 1. Chapter 6.04 DOGS AND CATS

6.04.111 Keeping of certain animals prohibited

The keeping of the following animals within the corporate limits of the borough is prohibited: Swine, cattle, horses, donkeys, mules, ponies, goats, sheep or any other livestock, single or in any number; roosters, ducks, geese, pheasants, pigeons or any other fowl, excluding hens, singly or in any number; and other animals determined by the nuisance/health inspector with the advice and consent of Mayor and Council. The keeping of any other animal of whatever species is to be prohibited when, in the judgment of the board of health, it is found that a public health nuisance is being maintained by the continued keeping of such animal.

SECTION 2. Chapter 6.06 HENS

6.06.010 Hens permitted.

Keeping of backyard hens shall be permitted in the Borough of Stratford subject to rules and regulations as specified in this article.

6.06.020 Definitions.

Backyard Hen – Any female of the chicken species.

6.06.030 Participation; location; number restricted.

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

B. There shall be a limit of two hens permitted per 1,000 square feet of lot area, capped at a maximum of 12 chickens; No roosters are permitted.

C. The coop and attached enclosed run shall be kept at least 15 feet from the habitable portion of the neighboring residential dwelling. The minimum of a five-foot side and rear yard setback shall be maintained as a buffer with maintained lawn or landscape vegetation. Run-off waste on adjacent properties shall not be permitted. Garages attached or otherwise, and accessory buildings shall not be considered a “residential dwelling” for the purposes of calculating the required distance. Hens may roam outside the coop area but only in the fenced in run area adjacent to the coop.

D. The keeping of hens shall be limited to the rear yard as defined by the Borough Code.

E. The maximum permitted area of the coop and attached enclosed run shall be 120 square feet.

F. The maximum permitted height of any coop structure, whether or not said coop is stacked, shall be eight feet as measured from the natural grade.

6.06.040 License required; fee; expiration; class.

A. No person shall keep hens on their property without first obtaining a license from the Municipal Clerk’s office and paying the required fee thereof. No license shall be issued unless the applicant therefore has demonstrated compliance with all the criteria and rules set forth by the Stratford Hen Advisory Commission and this code. No license shall be issued prior to any applicant meeting with the Stratford Hen Advisory Commission to determine if the applicant is able to meet all criteria and rules. Every license issued pursuant to this article shall expire annually on March 1. Any applicant who currently has backyard hens within the Borough of Stratford, shall be required to apply for a license. The Stratford Hen Advisory Commission may grant a waiver of lot size and/or maximum permitted hens at the time of the passage of the within ordinance to allow such person(s) to come into compliance with the criteria and rules, through the natural expiration of their hens provided such waiver does not negatively affect the health, safety and welfare of any resident or person and application for such waiver is made with the same year of the passage of this ordinance.

B. A license fee of \$25.00 shall be paid for each license issued pursuant to this article.

C. Any applicant desiring to keep backyard hens shall be required to take a class on the basics of raising backyard hens. Proof of attendance must be presented with the completed application. The Stratford Hen Advisory Commission 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 Stratford Hen Advisory Commission or other credible organization. A member of the Stratford Hen Advisory Commission will review the application with the applicant prior to final submission and perform an inspection of the chicken coop and attached enclosed run upon completion.

D. Tenants of a property submitted an application must have the written consent of the landlord.

6.06.050 Requirements for coops; slaughter of hens; waste.

The following regulations and conditions for the keeping and housing of hens shall be complied with:

A. The coop and attached enclosed run shall be a sound structure and predator-proof.

- B. The coop and attached enclosed run shall be appropriate size for the number of hens and shall consist of a minimum of three-square feet per hen.
- C. The coop shall be dry and well ventilated with windows to admit sunlight and shall not be heated.
- D. The housing of hens must be the primary purpose of the structure.
- E. The coop and attached run must be kept clean and the utilization of a tarp as a portion of the roof is not permitted.
- F. Clean water must be provided, and food must be kept in a tightly sealed rodent and predator-proof container.
- G. The yard in the area where the coop is located shall be clean, free of odors and dust abatement techniques must be utilized.
- H. There shall be no slaughter of hens in the Borough of Stratford.
- I. Waste shall be handled properly to prevent offensive odors or disposed in an environmentally friendly manner.
- J. The coop and attached enclosed run must meet all of the size limitations of an accessory building as may be otherwise provided for in the Code of the Borough of Stratford.

6.06.060 Creation of Hen Advisory Commission; complaints.

- A. A hen advisory commission consisting of at least three residents from the Borough of Stratford shall be appointed by the Governing Body of the Borough of Stratford. The members shall elect a chair, a vice chair, and board secretary from the members, who shall serve on one-year terms. All terms are on a calendar year basis. The commission shall meet on regular basis and keep minutes. A member of the Governing Body of Stratford will serve as a liaison to the commission.
- B. When a complaint is received by the Borough of Stratford, it will be forwarded to the commission for investigation. If the commission finds a violation of this article, and cannot resolve the complaint, the complaint will be reported to the code enforcement office/police department for an investigation.
- C. The hen advisory commission will assist anyone desiring to no longer participate in the backyard hen program to relocate their hens.

6.06.070 Access to property.

Any member of the local and/or county health department and/or borough code official, who at such official's request may be accompanied by a member of the hen advisory commission, shall be permitted to enter any property for the purpose of a site inspection to ensure compliance with the provisions of the article, either during the application process or during the period of the license.

6.06.080 Revocation of license.

Failure to comply with the conditions and regulations set forth in the article shall result in revocation of the license after notice in writing.

6.06.090 Violations and penalties.

Any person who violates any provision of this article shall, upon conviction in the Borough of Stratford Municipal Court of any such other having jurisdiction, be sentenced to a fine not

exceeding \$1,250.00, or imprisonment for a term not to exceed 90 days, or community service for a term not exceeding 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 article.

SECTION 2. Except as set forth in Section 1 above, the balance of the Code of the Borough of Stratford will not be affected by this Ordinance.

SECTION 3. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4. If the provision 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.

Mayor Josh Keenan

Date

ATTEST:

Bill Bray, RMC
Borough Clerk

PUBLIC NOTICE
NOTICE OF PENDING ORDINANCE

The ordinance published herewith was introduced and passed upon first reading at the Regular Meeting of the Governing Body of the Borough of Stratford, in the County of Camden, State of New Jersey, held on the 14th day of March, 2023. It will be further considered for final passage after public hearing thereon, at the meeting of the Governing Body to be held via electronic video conference provided by ZOOM or in the Borough Hall, in the Borough of Stratford on the 11th day of April, 2023 at 6:30 PM. To attend the meeting visit, <https://us06web.zoom.us/j/6553784906> or enter Meeting ID: 655 378 4906 in the Zoom application.

Copies of the ordinance will be made available during the week prior to and up to and including the date of such meeting at the Clerk's Office in the Borough Hall to the members of the general public who shall request the same.

Bill Bray, RMC
Borough Clerk