**ORDINANCE NO. 366-20**

**ORDINANCE OF THE TOWNSHIP OF VOORHEES ESTABLISHING, AUTHORIZING AND REGULATING RESIDENTS POSSESSING BACKYARD HENS ENTITLED ANIMALS PURSUANT TO CHAPTER 104 ENTITLED, HENS IN VOORHEES**

**WHEREAS,** the Township of Voorhees 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 backyard hens and other fowl and livestock is generally prohibited with the exception of RR - Rural Residential Zones, in accordance with Voorhees Township Land Development Ordinance, §152.001 under certain terms and conditions; and

**WHEREAS**, many surrounding communities have successfully initiated programs that has not demonstrated any issues or concerns to surrounding residents and the governing bodies that wish to provide for the allowance of backyard chicken hens on a more permanent basis; and

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

**WHEREAS,** the keeping of "Backyard Hens" is a means by which sustainability can be achieved; and

**WHEREAS,** in light of the above, the Township Committee of the Township of Voorhees deems it in the best interests of the citizens of the Borough to amend Chapter 104 to authorize a permanent program which permits the keeping of "Backyard Hens" under certain circumstances; 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 Township of Voorhees; and

 **NOW, THEREFORE, BE ORDAINED** by the Mayor and Township Committee of the Township of Voorhees as follows:

**Section 1**: Section 104-1 through 104- is hereby created and shall been entitled: “Hens in Voorhees” and shall read as follows:

**§ 104-1. Establishing Rules and Regulations.**

This Ordinance established a permanent program to authorize the residents of the Township of Voorhees to keep Backyard Hens, subject to certain terms and conditions set forth herein.

**§104-2. Eligibility; restrictions; coops and runs.**

 A. The following shall be eligible to participate in this program; residents of single-family homes or residents of “twin” or “row” homes which meet the criteria set forth in this section.

 B. For purposes of this Ordinance, no more than twenty (25) licenses will be issued at $10.00 each, on an annual basis.

 C. There shall be a limit of eight (8) hens per license. Roosters are prohibited.

 D. The coop and run, located in the backyard, shall not exceed 120 square feet and shall be located no closer than 20 feet from the windows and/or doors of the habitable portion of the neighboring residential dwelling. Garages, attached or otherwise, and accessory buildings shall not be considered a “residential dwelling” for purposes of calculating the required distance. Hens may temporarily “free range” outside of the coop in a suitably contained area provided that an adult, age eighteen (18) or older is present the entire time. A predator-proof run must be attached to the coop and must also be 20 feet from the habitable portion of the neighboring residential dwelling.

**§104-3. License required; fee; completion of class required.**

 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. No license shall be issued unless the applicant has demonstrated compliance with all criteria set forth in the herein.

 B. A non-refundable annual license fee of $10.00 shall be paid for each license issued for participation annually. No more than one license may be issued per household.

 C. Each applicant wishing to participate in the program to keep backyard hens shall be required to take a class on the basics of raising backyard hens. Proof of attendance must be represented with the completed application.

**§104-4. Requirements for coops.**

 Participant shall comply with the following regulations and conditions for keeping and housing of hens:

 A. The coop shall be suitable in size to house the number of hen’s subject to this program.

 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 containing 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. Waste will be handled by the participant to prevent offensive odors or disposed in an environmentally-friendly manner.

 H. There shall be no selling of eggs.

**§104-5. Creation of “hen advisory board”; complaints.**

 A. A Hen Advisory Board consisting of six (6) members shall be formed, including a Chair, Vice Chair and Secretary. The Board shall meet on a regular basis and keep minutes which shall be submitted along with quarterly report to the Liaison for Borough Council. These reports will include any activities of the Board, as well as any complaints and resolutions from residents concerning backyard hens.

 B. If a complaint is received by the Borough, it will be forwarded to the Hen Advisory Board for investigation by two members of the Board. If the Board finds a violation of the regulations, solutions will be discussed with the offending resident to allow them to meet the requirements of the program as soon as possible. However, if after thirty (30) days, the violation has been remedied, the Council liaison will be notified so that enforcement proceedings can be implemented.

 C. In lieu thereof, the Voorhees Township Environmental Commission shall be charged with the responsibilities set forth hereunder.

**§104-6. Revocation of license.**

 Failure to comply with the conditions and regulations set forth in this Ordinance shall result in revocation of the license.

**Section 2**: All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 3**: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

**Section 4**: This Ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST: TOWNSHIP OF VOORHEES

 Dee Ober, RMC, Township Clerk By: Michael R. Mignogna, Mayor

Introduced: June 8, 2020

Adopted: July 13, 2020

 I, Dee Ober, Clerk of the Township of Voorhees, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Township Committee at their meeting of July 13, 2020 held in the Municipal Building, 2400 Voorhees Town Center, Voorhees, New Jersey.

 Dee Ober, RMC, Township Clerk