

Lumberton township

RESIDENTIAL CHICKEN LICENSE APPLICATION

CHICKEN LICENSES are due for renewal after January 1st but prior to January 31st of each year (to avoid a late fee of $4.00)

COOP/SHELTER REQUIREMENTS:

Not to exceed 100 square feet or be higher than 8 feet tall.
Must be 10 feet from property lines and 15 feet from buildings/dwellings.
Runs may not exceed 100 square feet and must be at least 4 feet tall at a minimum.
Coop **MUST** be shown on a survey of the property.

Attach completed Zoning Application, Survey (location of coop shown) and Separate Fee of $50.00 to Completed Application

OWNER NAME: _____ **PHONE:** _____

E-MAIL: _____

ADDRESS: _____

NUMBER OF CHICKENS (Maximum 9): _____

LICENSE FEE(S):

UP TO TWO (2) CHICKENS	$ 25.00
UP TO FIVE (5) CHICKENS	$ 50.00
UP TO SEVEN (7) CHICKENS	$ 75.00
UP TO NINE (9) CHICKENS	$100.00
LATE FEE (if registering after 01/31)	$ 4.00

Please submit this application with the following:

☐ Licensing Fee (based on number of chickens – see above).

☐ Zoning application, survey and separate fee of $50.

Checks Payable to Lumberton Township or Cash Only
(Separate Checks for Chicken Application and Zoning Application Required)

Please refer to Township Ordinance No. 2021-016 found on the Lumberton Township Webpage for additional information on licensing requirements.

35 Municipal Drive, Lumberton, New Jersey 08048
Phone (609) 267-3217 *Fax (609) 267-5566*
www.lumbertontwp.com

Lumberton township since 1860

ZONING PERMIT APPLICATION

Zoning Fee $50.00

This application must be completed in full. The Township of Lumberton cannot be responsible for completing your application.

Please be advised that upon receipt of a "Complete" application, the Zoning Officer has ten (10) days to complete a review of the application. Upon approval by the Zoning Officer the application will be forwarded to the Building Department for review if required. The building office has twenty (20) days to complete their review.

Is this property Residential _____ Commercial _____

1) Block _____ Lot _____ Zone _____

2) Property Owner's Name: _____
Address: _____
Phone: _____ Fax: _____ Contact Person _____

3) Applicants Name: (If different from Property Owner)(Not for Contractor Information)
_____
Address (Location of Work): _____
Phone: _____ Fax: _____
Signature: _____ Print Name: _____ Date: _____

4) Contractors Name: _____ Contact Person _____
Address: _____ Phone: _____ Fax: _____
Contractor License No. _____
Signature: _____ Print Name: _____ Date: _____

5) Proposed Use & Specific Type of Business: _____
Description of Work:
_____
_____

6) Setbacks: Front Line: _____ Rear Line: _____ Right Side Line: _____ Left Side Line: _____
Fences Height (Front Yard) _____ (Side Yard) _____ (Rear Yard) _____

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Building and Lot Coverage Worksheet

This is not a zoning approval.

Block: _____ Lot: _____ Zone: _____

		Acreage	Square feet
1	Lot size (multiply acreage by 43,560 to get square feet)		

	Building Coverage	Dimensions	Square feet
	Existing		
2	House		
3	Attached garage		
4	Attached deck		
5	Other attached		
6	Total existing building cover (add lines 2 thru 5)		
7	**Total % of existing building cover (line 6 divided by square feet in line 1 then multiply by 100)**		
	Proposed (identify structure, e.g., addition, deck, attached garage, etc.)		
8			
9			
10			
11	Total proposed Building cover (add lines 8 thru 10)		
12	Total Building Cover in square feet - existing and proposed (add line 6 plus line 11)		
13	**Total % Building cover (line 12 divided by square feet in line 1 then multipy by 100)**		
14	**Total % Building coverage permitted (from Planning and Zoning Staff)**		

	Lot Coverage	Dimensions	Square feet
	Existing		
15	Building cover from line 6		
16	Driveway (including stone)		
17	Sidewalk/patio		
18	Detached garage(s)		
19	Decking not attached to house		
20	Shed(s) or other accessory buildings		
21	Pool, including surrounding concrete deck		
22	Other		
23	Total existing lot cover (add lines 15 thru 22)		
24	**Total % of existing lot cover (line 23 divided by square feet in line 1 then multiply by 100)**		
	Proposed (identify structure, e g., patio, drive, pool, shed, garage, etc.)		
25	Building cover from line 11		
26			
27			
28			
29	Total proposed lot cover (add lines 25 thru 28)		
30	Total Lot cover in square feet - existing and proposed (add line 23 plus 29)		
31	**Total % Lot cover (line 30 divided by square feet in line 1 then multiply by 100)**		
32	**Total % Lot coverage permitted (from Planning and Zoning Staff)**		

C:\my\Forms\Lot-coverage-worksheet.xls rev. 11/8/04

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TOWNSHIP OF LUMBERTON, NEW JERSEY

ORDINANCE NO. 2021 – 16

AN ORDINANCE CREATING CHAPTER 115 OF THE TOWNSHIP CODE ESTABLISHING "STANDARDS FOR KEEPING CHICKENS ON RESIDENTIAL PROPERTY" IN THE TOWNSHIP OF LUMBERTON AND AMENDING CHAPTER 130 "DEVELOPMENT REGULATIONS" OF THE TOWNSHIP CODE CONCERNING RELATED ACCESSORY USES

WHEREAS, the Township of Lumberton ("Township") has a history of supporting the "Right to Farm" through its adoption of Chapter 147 of its Township Code, which permits agricultural activities as a permitted use in all zoning districts that qualify for such protection by State Statute; and

WHEREAS, the Township Committee of the Township of Lumberton ("Township Committee") has determined that in addition to the permitted agricultural activities under Chapter 147, the keeping chickens on residential property in the Township requires establishing safeguards and standards to ensure proper health and safety are maintained, as well as to protect against any related nuisance activities; and

WHEREAS, the Township Committee has determined that it is in the best interest of the health, safety, and welfare of the Township to revise the Township Code to incorporate standards for keeping chickens on residential property within the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lumberton in the County of Burlington, State of New Jersey that:

SECTION 1. NEW SECTION. Chapter 115 of the Lumberton Township Code entitled "Standards for Keeping Chickens on Residential Property" is hereby created as follows:

§ 115-1. General.

A. Chickens may be kept and maintained on residential property within the Township of Lumberton only in accordance with the provisions of this Chapter. The following general requirements shall apply:

   i. The keeping and maintenance of chickens and other egg-laying poultry on residential property that is farmland assessed pursuant to the provisions of N.J.S.A. 54:4-23.1, the "Farmland Assessment Act of 1964," is not subject to the provisions of this article.

§ 115-2. DEFINITIONS

A. As used in this Chapter, the term "Animal Control Officer" shall mean a certified Municipal Animal Control Officer or, in the absence of such an officer, the chief law enforcement officer of the municipality or his or her

designee.

B. As used in this Chapter, the term "residential property" shall mean property that is purposed as a "Dwelling, Single Family Detached", "Dwelling, Semidetached Single Family", or "Dwelling, Duplex" as defined in Section 130-3 of the Township Code. Further, for the purposes of this Chapter "residential property" shall not include property that is purposed as a "Dwelling, Townhouse" or "Dwelling, Multifamily (Apartment)" as defined in Section 130-3 of the Township Code.

C. As used in this Chapter, the term "chickens" shall include hens but shall not include roosters or guinea hens.

D. As used in this Chapter, the term "shelter" or "coop" refers to an accessory structure where female chickens or poultry are typically kept secure consisting of an indoor area containing nest boxes for egg-laying and perches on which the birds sleep, as well as a fenced-in outdoor area typically made from chicken wire or similar non-solid fencing capable of containing the chickens, where chickens feed and may roam during the day.

E. As used in this Chapter, the term "licensing authority" refers to the Township Clerk.

§ 115-3. License Required.

A. No person shall be permitted to keep chickens on their residential property in accordance with this Chapter without having first obtained a license from the licensing authority.

B. No license shall be issued unless the applicant is the owner of the land to be used to keep the chickens, or if renting, has the written permission of such owner. Further, the licensure or keeping of chickens under this Chapter is only permitted so long as such activity is not prohibited or restricted by any master deed, covenants, restrictions, easements, homeowners' association documents, including bylaws, and any similar documents as well as any amendments to any such documents. Applicants who are part of a homeowners' association may not obtain a license unless the applicant's association expressly permits the keeping of chickens on residential property.

C. Any person who shall own, keep or harbor a chicken on residential property pursuant to this Chapter shall apply for and procure a license from the licensing authority for each such chicken, which license shall expire on January 31 of the following year. License renewals shall be obtained for

each chicken in the month of January of each subsequent year from the Township Clerk.

i. Any person who shall fail to procure a license renewal for any chicken pursuant to this Chapter by January 31 of any year shall pay a late fee in addition to the licensing fee in accordance with the fee schedule contained in Chapter 18 of this Code. Said licenses and renewals thereof shall expire on the last day of January of the following year.

D. Before obtaining a license, the applicant must certify:

i. he or she has taken necessary measures to educate themselves about raising chickens or other egg laying poultry. Such measures include but are not limited to education regarding hygiene and sanitation, appropriate fencing and knowledge of veterinarians who specialize in poultry;

ii. he or she is the owner of the residential dwelling and the property where the coop is located, or if an applicant rents his or her residential dwelling, has obtained written permission from the property owner to keep and maintain chickens on said property;

iii. he or she has provided and will maintain an appropriate shelter or coup for the number of chickens sought to be licensed and has obtained all necessary permits and approvals required for such accessory building or structure;

iv. his or her keeping of chickens under this Chapter is not prohibited or restricted by any master deed, covenants, restrictions, easements, homeowners' association documents, including bylaws, and any similar documents as well as any amendments to any such the documents. Applicant must provide written documentation confirming that his or her Homeowners' Association permits his or her keeping of chickens on residential property.

v. The applicant's lot meets the required definition of residential property under Section 115-2(B) of this Chapter and the size of the applicant's lot meets the minimum lot size required under Section 115-4(D) for the number of chickens he or she is seeking to license.

§ 115-4. General Regulations.

A. The keeping of roosters or guinea hens is prohibited.

B. The sale of eggs or other chicken by-products is prohibited.

C. The slaughtering of chickens, owned or kept by a licensee pursuant to this Chapter, on or in the residential property or elsewhere in public view is

prohibited.

D. The number of chickens permitted will be based upon the lot area of the residential property in question in accordance with the following table:

Minimum Lot Area (in Square feet)	Maximum Number of Chickens Permitted
6,000	3
10,000	4
15,000	5
20,000	6
30,000	7
40,000	8
60,000	9

E. No owner of any chicken nor any person in charge of any chicken shall suffer or permit such animal to run at large upon any public street, public park, public building or other public place within the Township, or on private property without the permission of the owner of said property or other person having control thereover.

F. Every person owning, keeping or harboring any chicken under this Chapter shall prevent such chicken from running at large upon the lands of any person, other than the person owning, keeping or harboring such chicken, without the consent of the owner of such lands.

G. No person who shall own or be in charge of any chicken shall cause, suffer or allow such chicken to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any other place where people congregate or walk or upon any public property whatsoever or upon any private property, without the permission of the owner or person in control of said property.

H. Every person owning, keeping or harboring any chickens pursuant to this Chapter shall prevent such chickens from becoming a public nuisance.

I. The shelter and adjoining areas must be kept clean and free from vermin and rodents.

J. The resident or owner (as appropriate) shall be obligated to notify the Animal Control Officer within ten (10) days of any rapid die-offs of their

flock.

K. Any person who shall own, keep or harbor a chicken shall provide it with proper and adequate food and water, proper shelter and protection from the weather and with humane care and treatment. No person shall inhumanely beat, ill-treat, torment or otherwise abuse a chicken.

§ 115-5. Violations.

A. The governing body shall have the power to appoint annually an Animal Control Officer who shall enforce the provisions of this Chapter.

B. The Animal Control Officer shall take into custody and impound or cause to be taken into custody and impounded and thereafter destroyed and disposed of any chicken, whether licensed or not:

i. that shall be found running at large upon any public street or other public place at any time, or

ii. that is being kept in a manner that is in violation of any regulations listed in this Chapter.

C. Any officer or agent authorized or empowered to perform any duty under this chapter is hereby authorized to go upon any premises to seize for impounding any chicken which he or she may lawfully seize and impound when such officer is in immediate pursuit of such chicken, except upon the premises of the owner of the chicken if said owner is present and forbids the same.

D. No person shall hinder, molest or interfere with anyone performing any duty which he or she is authorized or empowered to perform under this chapter.

§ 115-6. Required Shelters.

A. Chickens shall be housed in structures commonly known as "coops" with enclosed runs, which shall be maintained to ensure the safety of the chickens and individuals. The following minimum standards shall be maintained at all times:

i. Each shelter and enclosed run shall be located in the rear yard only of a residential property.

ii. Each shelter and enclosed run shall be located at least ten (10) feet from any property line and at least fifteen (15) feet from any principal residential dwelling unit on an adjoining property. This

fifteen (15) foot setback does not include garages either attached or detached, or other accessory buildings and structures.

iii. Shelters may not exceed 100 square feet in area, or eight (8) feet in height.

iv. Fences for each enclosed run shall be a minimum of four (4) feet in height and shall not exceed a maximum of six (6) feet in height, and shall comply with §130-32 Fences.

v. Each shelter and enclosed run and all areas within which chickens are allowed to roam shall be kept clean and free from vermin and rodents.

vi. Chickens may be permitted to roam outside of the shelter and enclosed run during daylight hours in the side and rear yards only of the residential property only if said residential property is appropriately fenced in accordance with the Township Code.

vii. Shelters established under this Chapter shall constitute accessory buildings pursuant to Chapter 130, Section 130-23 of the Township Code, but shall not count toward the maximum permitted Impervious Coverage or Building Coverage for the zone.

§ 115-7. Penalties. Any individual owning, keeping, maintaining, or harboring a chicken in violation of this Chapter shall be liable for penalties as prescribed by Article I, Chapter I, Section 1-11 of the Township Code.

SECTION 2. AMENDED SECTION. Subsection E of Chapter 130, Section 130-23, titled "Accessory buildings and structures", is hereby amended and supplemented as follows:

D. Keeping of farm animals.

(1) Accessory structures for the keeping of farm animals shall be permitted only on farms or on single-family residential lots of six acres or more in the Rural Agricultural District. Where such parcels adjoin single-family residential lots of less than six acres, such accessory structures for farm animals shall be set back from the adjoining single-family residential lot a minimum of 100 feet, **and any shelter or coop for the keeping of chickens on residential property pursuant to Chapter 65 of the Township Code shall only be erected in rear yard areas and not nearer than ten (10) feet to any lot lines.**

(2) Chicken coops or shelters are considered accessory buildings as applicable for the purposes of this Chapter, and residents shall obtain a zoning permit for compliance with the provisions of Chapter 115-6 of the Township Code.

Said coops shall not count toward any Building or Impervious Coverage limitations of the respective zoning district. All runs or enclosures shall comply with §130-32 Fences, except that an applicant may seek authorization for the fenced portion of any run that is being built contemporaneously with a chicken coop or shelter on the same permit.

SECTION 3. REPEALER. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect upon its final passage, adoption, and publication on the earliest date permitted by law.

SECTION 5. SEVERABILITY. If any section, paragraph, sentence, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

ACTION UPON INTRODUCTION:

COMMITTEE MEMBER	MOTION	2ND	YES	ABSTAIN	NO	ABSENT
T. Benson			X			
K. Hatfield	X		X			
R. Tuno		X	X			
R. Ryan			X			
G. LaPlaca						X

ACTION UPON PROPOSED AMENDMENTS:

COMMITTEE MEMBER	MOTION	2ND	YES	ABSTAIN	NO	ABSENT
T. Benson			X			
K. Hatfield			X			
R. Tuno		X	X			
R. Ryan	X		X			
G. LaPlaca			X			

ACTION UPON TABLING:

COMMITTEE MEMBER	MOTION	2ND	YES	ABSTAIN	NO	ABSENT
T. Benson			X			
K. Hatfield		X	X			
R. Tuno			X			
R. Ryan	X		X			
G. LaPlaca			X			

ACTION UPON ADOPTION:

COMMITTEE MEMBER	MOTION	2ND	YES	ABSTAIN	NO	ABSENT
T. Benson			X			
K. Hatfield	X		X			
R. Tuno		X	X			
R. Ryan			X			
G. LaPlaca			X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Ordinance that was Introduced after First Reading at a meeting of the Lumberton Township Committee held on September 16, 2021, as Amended and Tabled on October 17, 2021 and Adopted at the Lumberton Township Committee Meeting held on December 2, 2021.

Bobbie Quinn

Bobbie Quinn, RMC
Lumberton Township Clerk

Introduced:	September 16, 2021	Published:	September 21, 2021
Amended:	October 7, 2021	Published:	October 15, 2021
Tabled:	October 7, 2021	Published:	October 15, 2021
Hearing :	December 2, 2021	Adopted:	December 2, 2021
Published:	December 7, 2021		