

TOWNSHIP OF FLORENCE

ORDINANCE 2025-22

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
ESTABLISHING IN THE CODE OF THE TOWNSHIP OF FLORENCE
CHAPTER 62 WHICH SHALL BE TITLED STANDARDS FOR KEEPING
CHICKENS ON RESIDENTIAL PROPERTIES**

WHEREAS, the Mayor and Township Council have received numerous inquiries from members of the public who are interested in keeping chickens on their residential property for the purpose of egg-laying; and

WHEREAS, provisions currently in the Code of the Township of Florence provide that certain livestock, including chickens, are not permitted on lots less than 1 acre in size and a majority of the properties in the Township are less than one acre in size; and

WHEREAS, in order to provide an opportunity for residential property owners whose land is less than one acre in size to be able to keep chickens for egg-laying purposes, a new standard must be created in the Code of the Township of Florence; and

WHEREAS, administrative staff including zoning, code enforcement, and animal control have researched standards by which the Township may permit keeping of chickens on properties less than one acre in size and have reported such findings to the Township Council; and

WHEREAS, the provisions contained in this ordinance provide for an opportunity for residential properties less than one acre in size to be able to keep egg-laying chickens.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence that:

Section 1.

There is hereby created in the Code of the Township of Florence Chapter 62 which shall be titled: Standards for Keeping Chickens on Residential Property

Section 2.

Chapter 62, Standards for Keeping Chickens on Residential Property shall read as follows:

62-1. General.

- A. Chickens may be kept and maintained on a residential property of less than one acre within the Township of Florence only in accordance with the provisions of this chapter. The following general requirements shall apply:

(1) 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 chapter nor are any properties in the Township of Florence which are equal to or greater than one acre in size as those properties are regulated by Chapter 41 of the Code of the Township of Florence.

62-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANIMAL CONTROL OFFICER - 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.

CHICKENS - Hens, but not roosters.

RESIDENTIAL PROPERTY - Property that is purposed as a detached single-family, single-family semi-detached, single-family attached, duplex, two-family, row-home, multiple-dwelling or townhouse.

SHELTER or COOP - An accessory structure where female chickens 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 woven box-wire or similar nonsolid fencing capable of containing the chickens, where chickens feed and may roam during the day.

62-3. Registration Certificate Required.

- A. No person shall be permitted to keep chickens on their residential property in accordance with this chapter without having first secured a registration certificate from the Township Clerk.
- B. No registration certificate shall be authorized unless the registrant is the owner of the land to be used to keep the chickens or, if renting, has the permission of such owner. Further, the registration certificate for 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. Registrants who are part of a homeowners' association may not obtain a registration certificate unless the applicant's association 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 registration certificate from the Township Clerk for each such flock, which registration shall not expire.
- D. Before obtaining a registration certificate, the registrant must certify:
 - (1) He or she has taken necessary measures to educate their self 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;
 - (2) 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 permission from the property owner to keep and maintain chickens on said property;
 - (3) He or she has provided and will maintain an appropriate shelter or coop for the number of chickens sought to be registered and has obtained all necessary permits and approvals required for such accessory building or structure;
 - (4) 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 documents. The registrant must affirmatively represent, if applicable, that his or her homeowners' association permits his or her keeping of chickens on residential property.
 - (5) The registrant's lot meets the required definition of residential property under section 62-2 of this chapter.

62-4. General Regulations.

- A. The keeping of roosters associated with this portion of the Township Code is prohibited.
- B. The sale of eggs or other chicken by-products is prohibited.
- C. The slaughtering of chickens owned or kept by a registrant pursuant to this chapter on the residential property, or otherwise in public view, is prohibited.
- D. The maximum number of chickens permitted based upon this chapter of the Township Code shall be six (6).
- 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, path, 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 resident or owner (as appropriate) shall be obligated to notify the Animal Control Officer within 10 days of any rapid die-offs of their flock.
- J. 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 injure, ill-treat, torment or otherwise abuse a chicken.

62-5. Required Shelters and Runs.

- A. Chickens shall be housed in shelters, commonly known as "coops," with attached 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:
 - (1) One shelter and run per residential property shall be permitted and said shelter and enclosed run shall be located in the rear yard only of a residential property.
 - (2) The shelter and enclosed run shall be located at least 4 feet from any property line and at least 12 feet from any principal residential dwelling unit on an adjoining property. This twelve-foot setback requirement does not apply to garages either attached or detached, or other accessory buildings and structures.
 - (3) Shelters, not including the attached run, may not exceed 36 square feet in area, or six feet in height.
 - (4) Shelters must be dry and well-ventilated with windows to admit natural light.
 - (5) Fences for each enclosed run shall be a minimum of three feet in height with an enclosed top to prevent chickens from escaping and predators from entering, and shall not exceed a maximum of six feet in height.
 - (6) To protect against vermin and rodents, each shelter and enclosed run and all areas within which chickens are allowed to roam shall be kept clean and free of manure, excreta, other waste substances as well as waste or excess food products. Manure, excreta and other waste substances must be composted or disposed of in an environmentally responsible manner.
 - (7) Food products must be kept in metal containers with lids capable of being secured against vermin, rodents, and/or animal infiltration.
 - (8) Chickens may be permitted to roam outside of the shelter and enclosed run during daylight hours in the rear yards only of the residential property only if said residential property is appropriately fenced in accordance with the Township Code.
 - (9) Shelters established under this chapter shall constitute accessory buildings pursuant to Chapter 91 of the Township Code, but shall not count toward the maximum permitted impervious coverage or building coverage for the zone.

62-6. Enforcement.

This chapter shall be enforced by the Animal Control Officer, Zoning Officer, Property Maintenance and Code Enforcement Officers.

62-7. Violations.

- A. The Animal Control Officer, in enforcement of this Chapter, shall take into custody and impound or cause to be taken into custody and impounded and thereafter destroyed and disposed of any chicken, whether registered or not:

- (1) That shall be found running at large upon any public street or other public place at any time; or
 - (2) That is being kept in a manner that is in violation of any regulations listed in this chapter.
- B. 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.
- C. 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.

62-8. Penalties.

Any individual owning, keeping, maintaining, or harboring a chicken in violation of this chapter shall be liable for a penalty of \$100.00 up to and including \$2,000.00.

Section 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 4. All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

JOSEPH FRAPPOLLI
Council President

NANCY L. ERLSTON, RMC
Township Clerk

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Take Notice that the Ordinance identified above establishing in the code of the Township of Florence Chapter 62 which shall be entitled “Standards for Keeping Chickens on Residential Properties” has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, at a meeting held on September 10, 2025. It will be considered for final passage after public hearing to be held on October 1, 2025 at 7:00 PM in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full Ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. The ordinance is posted on the township’s website www.florence-nj.gov

Nancy L. Erlston, RMC
Township Clerk