

BOROUGH OF HAMPTON

MAIN STREET & WELLS AVENUE

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Todd Shaner
Mayor

Linda Leidner, RMC
Municipal Clerk

*Founded in 1895 as Junction
Renamed Hampton in 1909*

APPLICATION FOR CHICKEN LICENSE ROOSTERS ARE PROHIBITED IN HAMPTON BOROUGH

Name _____

Address _____

Block _____ Lot _____ Lot Size: _____

Number of chickens _____

Phone _____ Email _____

Approved By: _____ Date of License: _____

License Expires as of January 1, _____

\$10.00 Fee Paid _____ Check _____ Cash _____

Borough of Hampton, NJ
Thursday, May 6, 2021

Chapter 93. Animals

Article IV. Regulating Chickens on Residential Property

[Adopted 2-10-2020 by Ord. No. 01-20]

§ 93-17. Livestock and fowl definitions.

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

BACKYARD CHICKEN HENS

Chicken hens kept and maintained pursuant to Chapter **93**, Article **IV**, et seq.

LIVESTOCK

Animals customarily found on a farm, including but not limited to horses, cows, ponies, sheep, goats, chickens, ducks or other fowl, or other farm animals. This term shall not include cats, dogs or other domestic animals.

PERSON

An individual, firm, corporation, association, society and partnership and any agent, servant or employee of any of the above.

§ 93-18. Backyard chickens: chickens permitted; standards.

- A. Residents of single-family or two-family homes shall be permitted to keep chickens pursuant to this section.
- B. Minimum lot size. A minimum lot size of 1/4 acre is required to keep chickens pursuant to this section.
- C. Number of allowable chickens. No more than six chickens may be kept on any parcel that meets the minimum lot size set forth above. For each additional 1/4 acre, two additional chickens may be kept (i.e., 12 chickens may be kept on a one-acre lot).
- D. Roosters. Roosters are not permitted.
- E. Required shelter. Chickens shall be provided a fully enclosed shelter / coop with a fenced area meeting the following requirements:
 - (1) Shelters and fenced enclosures shall be located in the rear yard only.
 - (2) Shelters and enclosures shall be at least 15 feet from the habitable portion of a neighboring residential dwelling and shall be subject to the property line setback applied to accessory structures. Garages, attached or otherwise, and accessory structures shall not be considered a "residential dwelling" for purposes of calculating the required distance.

- (3) Chickens may roam outside of the coop area in the rear yard only in an area suitably fenced to keep them contained, provided that a resident of the property aged 18 years or older is present.
 - (4) Shelters/coops shall not exceed 15 feet in height or 150 square feet in size. Each coop shall be the appropriate size for the number of chickens and shall consist of a minimum of three square feet per chicken.
 - (5) Coops shall be dry and well ventilated with windows to admit sunlight. The utilization of a tarp for a portion of the roof structure is not permitted.
 - (6) Shelters/coops constructed pursuant to this article must have the primary purpose of housing chickens.
 - (7) The coop must be constructed in order to reasonably keep predators out and be surrounded by a fence. Fences shall not exceed six feet in height.
 - (8) The construction of shelters / coops and / or fenced enclosures for chickens are subject to all building and construction permit requirements as applicable to accessory structures under the Code.
- F. Waste storage. Storage of manure, excreta, other waste odor or dust-producing substances associated with the keeping of chickens shall be located at least 25 feet from any property line and at least 50 feet from any residential structure on an adjoining property and shall be properly composted in compliance with any Borough or county health code regulations or USDA guidelines or stored in a watertight container until it can be disposed of in a proper fashion off site.
- G. Feed storage. Animal feed stored outside shall be kept in metal containers with tightly fitting lids.
- H. Slaughter. Slaughter of chickens shall not be permitted in public view.
- I. No running at large. No person owning, keeping, maintaining, or harboring a chicken shall permit, suffer, or allow a chicken to run at large upon any public streets or upon any private property except on premises where permission has been given by the owner.
- J. No disturbing the peace. No person owning, keeping, maintaining, or harboring a chicken shall permit, suffer, or allow a chicken to disturb the peace or quiet of the neighborhood by creating a noise across a residential property line continually for 10 minutes or intermittently for 30 minutes, unless provoked.
- K. Violations and penalties. No person owning, keeping, maintaining, or harboring a chicken who violates or fails or refuses to comply with this provisions of this article shall be liable for a penalty of not more than \$500 for each violation. Each day that said violation continues shall be deemed a separate and distinct violation.
- L. Enforcement. The provisions of this section may be enforced by regular and special officers of the police agency servicing the Borough of Hampton (including the New Jersey State Police); the Zoning Officer, Construction Official, and Building Subcode Official of the Borough of Hampton; or upon the filing of a complaint in the Municipal Court of the Borough of Hampton by any inhabitant of the Borough of Hampton, either with or without prior notice to the person committing a violation of this article.
- M. Right to Farm Act. Nothing herein shall prevent the operation of a farm qualified under the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

§ 93-19. License required.

- A. No person shall keep chickens on their property without first obtaining a license from the municipal clerk's office and paying the required fee therefor. No license shall be issued unless the applicant therefor has demonstrated compliance with all criteria set forth in this article. Every license issued pursuant to this article shall expire annually on January 1. Persons maintaining chickens at the time of passage of the within ordinance shall have 60 days to apply for a license. The Borough Council may grant a waiver of lot size and/or maximum permitted chickens to those persons maintaining chickens at the time of the passage of the within ordinance to allow such person(s) to come into compliance with this article through the natural expiration of their chickens provided such waiver does not negatively affect the health, safety and welfare of any resident or person and application for such waiver is made within 60 days of the passage of the within ordinance.
- B. A license fee of \$10 shall be paid for each license issued pursuant to this article.
- C. Tenants of property submitting an application must have the consent of the landlord.