

**BOROUGH OF OGDENSBURG  
COUNTY OF SUSSEX  
ORDINANCE 01-2021**

**ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF  
THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT" TO PROVIDE  
STANDARDS AND REGULATIONS FOR KEEPING FOWL**

**WHEREAS**, the Borough of Ogdensburg ("Borough") desires to amend and supplement Chapter 30 of the Borough Code ("Code") entitled "Land Development" to provide standards and regulations for keeping fowl; and

**WHEREAS**, in furtherance thereof, the Borough seeks to amend and supplement Section 30-201 entitled "Definitions" to define the term "Fowl" and to add Section 30-522 entitled "Keeping of Fowl in Single Family Residential Zones"; and

**WHEREAS**, the Borough has referred this ordinance to the Land Use Board in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. and has accepted its recommendations for approval.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey that Chapter 30 of the Code of the Borough of Ogdensburg entitled "Land Development" is hereby amended, revised and supplemented as follows:

**SECTION 1.** Chapter 30, Section 30-201 of the Borough Code entitled "Definitions" is hereby amended to add the following definition:

**Chapter 30 Land Development**

**§ 30-201. Definitions.**

FOWL – Domesticated chickens (hens only, no roosters) or ducks kept primarily for egg laying purposes.

**SECTION 2.** Chapter 30, Section 30-522 entitled "Keeping of Fowl in Single Family Residential Zones" shall be added to the Borough Code as follows:

**Chapter 30 Land Development**

**§ 30-522. Keeping of Fowl in Single Family Residential Zones.**

- A. No more than six (6) fowl, as defined by Section 30-201, may be kept and maintained in connection with a single-family residential use lot. This shall only be permitted in Residential Zones and for personal use only.

- B. Maintaining fowl as permitted by this Section shall be subject to the following conditions:
1. A zoning permit must be obtained from the Borough's Zoning Officer for all coops and runs. All coops and runs shall not exceed an area of 200 square feet and shall not exceed 6' in height.
  2. Notwithstanding any other provisions of this Chapter, fowl shall be housed and kept in a manner which will not constitute a public or neighborhood nuisance. Fowl shall not be permitted to fly or run at large.
  3. All fowl shall be housed in coops or structures that are properly designed for such use and completely separated from any building utilized for dwelling purposes.
  4. Coops and runs shall be restricted to the rear yard area and shall adhere to the applicable side and rear yard setbacks of 15' and 75' to an occupied adjacent dwelling.
  5. The Zoning Officer shall approve the structures prior to their installation with the issuance of a zoning permit.
  6. No fowl shall be kept unless they can be contained on the property of their owner or the agent of their owner.
- C. Waste management for fowl, as defined in Section 30-201, shall be subject to the following:
1. Fowl manure may be applied to garden soil and incorporated into the soil.
  2. Fowl manure shall not be used on the surface of any property or portions thereof in a manner similar to that used in the laying of mulch or topsoil.
  3. Fowl manure may be composted in such a way as to minimize any fly and odor problems.
  4. Fowl manure may be bagged and removed from the premises.
  5. Fowl manure may not be stored, composted or applied to soil within 10 feet of the property line.
  6. There shall be no runoff of fowl manure to neighboring properties.
- D. Feed for fowl, as defined in Section 30-201, shall be subject to the following:
1. Any food scattered for fowl consumption shall be cleaned up daily.


2. All fowl food shall be stored and kept in tight containers.
  3. All fowl food shall be protected from access by rodents and other wildlife.
- E. Enforcement of this Section, and penalties for violations thereof shall be provided for as follows:
1. All enforcement agents of the Borough shall have the authority to enforce the provisions of this Section. Such enforcement agents shall include but not be limited to the Zoning Officer, the Health Officer and his/her staff, the Animal Control Officer, and/or the Police Department.
  2. Penalties may include the removal of fowl from the property.
  3. Summonses for noncompliance with any provision hereof may be issued by the appropriate enforcement officials.
  4. Penalties may be imposed by the Municipal Court Judge up to the maximum penalty allowed by law.

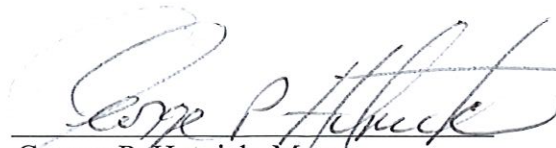
**SECTION 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall become effective after second reading and publication as required by law.

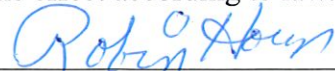
Attest:

  
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Robin Hough, Borough Clerk

  
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George P. Hutnick, Mayor

**NOTICE**

**TAKE NOTICE** that the above entitled ordinance 01-2021 was introduced at a regular meeting of the Borough Council of the Borough of Ogdensburg on January 25, 2021, and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Ogdensburg to be held on March 8, 2021 at 7:00PM in the Municipal Building, 14 Highland Ave., Ogdensburg, New Jersey, and shall take effect according to law.

  
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Robin Hough, Borough Clerk

**BOROUGH OF OGDENSBURG  
LEGAL NOTICE  
ORDINANCE 01-2021**

**AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND  
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF  
THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT" TO PROVIDE  
STANDARDS AND REGULATIONS FOR KEEPING FOWL.**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Ogdensburg, in the County of Sussex, State of New Jersey, held in the Municipal Building on the 25<sup>TH</sup> day of January, 2021, and the same came up for final passage at a meeting of the said Borough Council on the 8<sup>th</sup> day of March, 2021, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the borough according to law by order to the Borough Council of the Borough of Ogdensburg, County of Sussex and State of New Jersey.



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Robin Hough, RMC/CMR