

Ordinance

No. 11-2025

AN ORDINANCE AMENDING CHAPTER 91, ARTICLE II, ANIMALS BY ADOPTING A NEW ARTICLE VI TO BE TITLED “BACKYARD CHICKENS,” IN THE CODE OF THE BOROUGH OF WESTVILLE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Westville, County of Gloucester, and State of New Jersey, that Chapter 91, Animals, in the Code of the Borough of Westville, is hereby amended by adopting a new Article VI to be titled “Backyard Chickens” and to read as follows:

Section 1. Title. Chapter 91, Animals, is hereby amended by adopting a new Article VI to be titled “Backyard Chickens.”

Section 2. Chicken Hens permitted; Pilot Program.

This Ordinance is a pilot program for the keeping of backyard chicken hens. The keeping of backyard chicken hens shall be permitted in the Borough of Westville subject to the rules and regulations as specified in this Ordinance. The pilot program shall terminate on December 31 two (2) years from the effective date of the pilot program (date of adoption of this Ordinance) unless the Borough Council of the Borough of Westville acts to continue same prior to that date. In the event the Borough Council does not act to continue the program prior to said termination date, all persons with backyard chicken hens shall be permitted to keep their then current chicken hens but may not add any new chicken hens and said person shall continue to act pursuant to the rules and regulations of this program.

Section 3. Location; number restricted.

A. Residents of single family homes, twin homes or row homes which meet the criteria set forth in this Ordinance shall be permitted to keep backyard chicken hens strictly in accordance with the provisions of this Ordinance.

B. For the purposes of this pilot program, no more than ten (10) Backyard Chicken licenses will be issued at an annual fee of \$100.00 which license will be renewable each year. Only one (1) Backyard Chicken license per resident property shall be permitted.

C. There shall be a maximum limit of eight (8) chicken hens permitted, per resident property. Roosters are strictly prohibited.

D. The minimum lot size for a resident property to have backyard chicken hens is 3,500 square feet.

E. No chicken hens shall be kept within twenty (20) feet of any habitable portion of a neighboring residential dwelling. A minimum five (5) foot side and five (5)-foot rear yard buffer setback shall be required with a maintained lawn or landscaped vegetation within the buffer area. Any runoff waste onto any adjacent properties shall be prohibited. Garages, attached or otherwise, and any accessory buildings shall not be considered a residential dwelling for purposes of calculating the required distances.

F. Chicken hens may roam freely outside of the coop as long as the chicken hens are kept in the resident's securely fenced rear yard and installed to keep the chicken hens contained therein provided that a resident is present in the rear yard the entire time.

G. The keeping of chicken hens shall be limited to the rear yard as defined by this Ordinance.

H. The coop shall be inspected every six (6) months by the Borough for compliance with this Ordinance.

The Code Enforcement Official shall be permitted to enter the resident's rear yard at any time to inspect the property regardless if the resident is home or not at such time.

Section 4. License required; fee; expiration.

A. No resident shall keep chicken hens on their property without having first obtained a license from the Borough. The annual license fee shall be in the amount of \$25.00, and shall expire on December 31 of each year. Licenses shall be renewed annually.

B. Each Applicant wishing to keep backyard chicken hens shall be required to take an annual class approved by the Code Enforcement Committee on the basics of raising backyard chicken hens. Proof of attendance of such class must be presented with the completed application. The Borough can provide a list of approved and available classes. Any fee charged for the class shall be paid by the Applicant.

C. Tenants of a property submitting an application must provide a signed letter of consent from the Landlord.

Section 5. Requirements for coops.

The following regulations and conditions for the keeping and housing of chicken hens shall be complied with:

A. The coop shall be an appropriate size for the number of chicken hen(s) and shall require a minimum of three (3) square feet per chicken.

B. The coop shall be dry and well ventilated, with windows so placed, if possible, as to admit sunlight and shall not be heated.

- C. The coop shall be thoroughly whitewashed or painted both inside and out.
- D. The housing of chicken hens shall be the only purpose of the coop.
- E. The coop must be kept clean at all times and the utilization of a tarp to cover any portion of the coop's roof structure is not permitted.
- F. The coop and enclosed chicken run must be made predator proof and must be surrounded by a six foot high fence.
- G. Clean water must be provided, and food must be kept in a tightly sealed rodent and predator proof container.
- H. There shall be no slaughter of chickens. There shall be no breeding of chickens. There shall be no selling of chicken eggs.
- I. Waste shall be handled properly to prevent offensive odors and disposed in an environmentally friendly manner. Waste shall not be disposed of as part of the Borough's normal trash and recycling collection. Any resident found in violation of this subsection, shall be subject to the penalties per subsection M of this Ordinance.
- J. Coops shall be inspected annually by the Borough or upon receipt of a complaint. Property owner shall grant immediate access to the Borough for the coop to be inspected.
- K. Chicken hens are not permitted to roam freely outside of the permitted rear yard coop area.
- L. When a complaint is received by the Borough, it will be forwarded to the Code Enforcement Official for investigation. A member of the Code Enforcement Committee and the Code Enforcement Official shall investigate the complaint. If a violation is confirmed, then solutions will be discussed with the offending resident to allow him or her time to meet the requirements of the pilot program as soon as possible. However, if after 30 days, the violation has not been remedied, the Code Enforcement Official will start enforcement proceedings per this Ordinance.
- M. Violations and Penalties.
 - 1. For the first violation of any section of this Ordinance, a written warning shall be issued to the resident.
 - 2. For a second violation of any section of this Ordinance, a fine shall be imposed.
 - 3. For a third violation of any section of this Ordinance, the license for maintaining backyard chicken hens shall be revoked and all chicken hens shall be removed from the property within ten (10) days.

4. Any resident who shall violate any of the provisions of this Ordinance shall, upon conviction, be punished by a fine not to exceed \$1,000, community service, or by imprisonment in the county jail for a period not to exceed 90 days, or by any combination of such fine, community service and imprisonment as the Court may determine. Each violation of any of the provisions of this article and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

Section 6. Revocation of license.

If the above conditions and regulations are not complied with, the license shall be revoked.

Section 7. Revocation due to environmental changes.

Whenever, in the opinion of the Code Enforcement Official, the environmental conditions of the area has changed since granting the license to such an extent that the maintenance thereof may constitute a nuisance, such license may be revoked by the Code Enforcement Official.

Section 8. Procedure for revocation or suspension hearing.

The Code Enforcement Official is hereby empowered to suspend or revoke the license held by any person who violates any of the provisions of this Ordinance. No license shall be suspended or revoked until after a hearing. A notice of five (5) days, in writing, stating the time and place of such hearing, shall be served upon the licensee.

Section 9. Time of Ordinance, termination.

The provisions of this Ordinance, unless renewed by the Borough Council of the Borough of Westville, shall expire and become inoperative at 12:01 am on December 31, 2027.

Section 10. Repealer.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 11. Effective date.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: October 27, 2025

Adopted:

BOROUGH OF WESTVILLE
,

Fritz Sims Jr.
MAYOR

ATTEST:

Kathleen Carroll
DEPUTY MUNICIPAL CLERK