

ORDINANCE NO. 2025-10
INTRODUCTION DATE: 06-16-2025
ADOPTION DATE: 07-21-2025

**AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE
BOROUGH CODE TO ENACT REGULATIONS PERMITTING THE
KEEPING OF CHICKENS ON RESIDENTIAL LOTS**

WHEREAS, the Borough of Roosevelt (the “Borough”) seeks to protect the health, safety and general welfare of the residents of the Borough; and

WHEREAS, residents have requested that the Borough consider enacting regulations to permit the keeping of chickens on residential lots; and

WHEREAS, the Borough seeks to balance the ability of homeowners to keep chickens upon their properties with the rights of their neighbors to likewise use and enjoy their properties;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that Article VI: "Supplementary Regulations" of the Zoning Ordinances of the Borough Code is hereby supplemented with *new* Section 6.800: "Keeping of Chickens" as follows:

6.800 KEEPING OF CHICKENS ON RESIDENTIAL LOTS.

Chickens may be kept and maintained on residential properties/lots as an accessory use, provided that a zoning permit is first obtained from the Zoning Officer, and subject to the following requirements and restrictions:

- a. No person who rents the property where chickens are proposed to be kept or maintained may obtain a zoning permit without first receiving written permission from an owner of the property. Such written permission shall be provided to the Zoning Officer.
- b. On properties where the owner is keeping the chickens, the zoning permit shall terminate in the case of change in ownership. On properties that are rented, and the tenants are keeping the chickens, the zoning permit shall terminate on change of tenant.
- c. Up to twelve (12) chickens may be kept on one (1) residential property/lot.
- d. No person shall keep a rooster or a male chicken on any residential lot.
- e. Having received a zoning permit, a permit license shall be obtained from the Zoning and/or Code Enforcement Officer annually at a fee of \$25.00, regardless of the amount

of chickens maintained. The Zoning and/or Code Enforcement Officer shall have the authority to determine the paperwork, filing deadlines and procedures for this licensing.

- f. No person shall keep or maintain chickens for consumption or sale. Chickens may not be slaughtered within the limits of the Borough.
- g. Chickens are not permitted to roam beyond the boundaries of the residential property/lot where they are being kept.
- h. All chicken feed shall be kept in a covered and secured metal container off of the ground, and shall not attract vermin or rodents to the residential property.
- i. Any accessory structure(s) or fencing for the keeping of chickens shall otherwise comply with the applicable design standards, bulk standards, and impervious and building coverage standards for the zone.
- j. Construction permits, if required, shall be obtained for the construction of any accessory structure(s) for the keeping of chickens.
- k. If, for any reason, an applicant no longer keeps and raises chickens, they shall be removed from the property in a humane manner.
- l. Any violation of these standards may be grounds for the revocation of the zoning permit permitting the keeping and maintenance of chickens.
- m. The Zoning Officer and/or Code Enforcement Officer shall have the right to periodically inspect the premises to ascertain compliance with these regulations.
- n. Chickens shall be kept and maintained at all times in a humane manner and in accordance with good agricultural practices. The Animal Control Officer/Cruelty Investigators shall have all powers under New Jersey Law to ensure the chickens are maintained in a humane way and under humane conditions. Any failure to comply with the Animal Control Officer/Cruelty Officer shall be grounds for revocation of the zoning permit permitting the keeping and maintenance of chickens.
- o. The Monmouth County Board of Health, and/or any similar body the Borough contracts with for public health services, shall have the power to investigate any claims under their jurisdiction related to the keeping and maintenance of chickens. Any failure to comply with such body shall be grounds for revocation of the zoning permit permitting the keeping and maintenance of chickens.
- p. If the zoning permit permitting the keeping and maintenance of chickens is revoked, all accessory structures for chicken-keeping shall likewise be removed from the property within thirty (30) days of revocation of the permit.

- q. Any persons keeping more than the permitted number of chickens or keeping any rooster(s), as of June 1, 2025, shall be permitted to maintain such chickens and/or rooster(s) by the Zoning Officer, and note same on the issued permit, until the end of such animals' natural lives, ultimately resulting in full compliance with this Section 6.800.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that, after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning/Zoning Board of the Borough of Roosevelt for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough's Mayor & Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

ATTEST:

APPROVED:

Kathleen Hart, Borough Clerk

Peggy Malkin, Mayor