

ORDINANCE
TOWNSHIP OF FRANKLIN
AMENDING OF CHAPTER 253 OF THE CODE OF THE TOWNSHIP OF FRANKLIN
O-12-08

WHEREAS, the Township Committee is desirous of amending Chapter 253 of the Code of the Township of Franklin to better regulate the development of land throughout the Township; and

WHEREAS, the Franklin Township Planning Board has reviewed the proposed amendments and recommends the following amendments be adopted by the Township Committee; and

WHEREAS, after due deliberation and consultation with the Planning Board, Land Use Committee, Engineer, Planner and Solicitor, the Township Committee has determined that the following revisions and amendments to Chapter 253 of the Franklin Township Code are necessary and appropriate.

NOW, THEREFORE, the Township Committee of the Township of Franklin, in Gloucester County, New Jersey, does hereby adopt and enact the following amendments to Chapter 253 of the Township's Code:

ARTICLE XXXVA, ENTITLED "STANDARDS FOR SPECIFIED ACCESSORY USES"

The following section shall be amended to read as follows:

§253-190.12. Home Animal Agriculture.

A. Definition. Home animal agriculture is defined as the activity of producing domesticated animals or their products for home use or consumption including breeding, growing, caring, housing and product preparation where sales are incidental.

B. Animals Permitted.

- (1) Large sized animals including horses, Llamas and cows.
- (2) Medium sized animals including goats, emus and sheep
- (3) Small animals: rabbits
- (4) Poultry: Chickens, ducks, geese, turkeys and game hens, Game birds (such as pheasant and quail will be by permit only and must follow New Jersey State regulations).

C. Lot Size Minimums.

- (1) No animals under this section are permitted on lots less than one and a half (1 ½) acres in size exclusive of wetlands and wetland buffers.
- (2) A minimum of one (1) acre is required for a dwelling unit and half (1/2) additional acre is required for poultry up to 15 birds; except only 5 geese, ducks or turkeys are allowed per half acre.
- (3) A minimum of one (1) acre is required for a dwelling unit and one (1) additional acre is required for any medium size animals up to five (5) except that not more than seven (7) animals per acre after three (3) acres.
- (4) A minimum of one (1) acre is required for a dwelling unit and one (1) additional acre is required for any large animal, except that not more than (1 ½) animals per acre after three (3) acres.

D. General Standards.

- (1) Buildings to house large size animals shall be located 20' from property line, and not less than 40' from any dwelling on said lot or 120' from any other neighboring dwelling. Each shelter shall have a minimum of 100 square feet per animal.
- (2) Buildings to house medium size animals shall be located 20' from property line, and not less than 40' from any dwelling on said lot or 120' from any neighboring dwelling. Each shelter shall have a minimum of 20 square feet per animal.
- (3) Buildings to house poultry shall be located 20' from property line, and not less than 40' from any dwelling on said lot or 120' from neighboring dwelling. Each shelter shall have a minimum of two (2) square feet per chicken, three (3) square feet per duck and six (6) square feet per turkey and goose. Birds need adequate space for movement and exercise as well as area to nest and roost. Space requirements will vary with the type of bird.
- (4) Corral area/pasture shall be located a minimum of 50' from any dwelling.
- (5) Fencing for large sized animals shall comply with requirements of Section 253-190.9. Fencing shall not be placed any closer than 15 feet from the neighboring property lines for one fence and not closer than 8 feet for two fences when using an electric interior fence. Electric fence to be 8 feet from exterior fence.

- (6) Fencing for medium sized animals shall provide a minimum of 25 square feet per animal and should be with wire and sufficiently strong and high enough to keep dogs and other predators from entering.
- (7) Fencing for fowl shall be provided at a rate of ten (10) square feet per chicken, fifteen (15) square feet per duck and eighteen (18) square feet per turkey and goose. Space requirements will vary with the type of bird. Wire should be sufficiently strong and high enough to keep dogs and other predators from entering.
- (8) The lot must be free of debris and standing water other than in a container.

E. Waste Management.

- (1) Dry (except for normal daily waste) interior stalls shall be maintained. Outside lots should not become muddy either due to weather or animal activity.
- (2) Weekly removal of all manure in interior housing or exterior lots. The Township's Public Works Department will not collect this waste material. The manure, once removed, should be handled by one of the following alternative methods:
 - (a) Daily placement in a plastic garbage bag, tightly closed, for periodic removal from the premises or stored for later use, such as incorporation into the soil. Stored manure should not accumulate for more than four weeks.
 - (b) Used immediately and incorporated daily into the soil of a garden as surface mulch.
 - (c) Incorporated into a bona fide composting procedure so odors or fly breeding and flies cannot be a by-product. A manure pile does not qualify as a composting procedure.
 - (d) Store in an undercover (rain free) well drained, screened and fly-free storage area, located 120 feet from any dwelling, until the manure can be handled in any of the above alternatives 1,2 or 3.
- (3) Operator/owner to comply with N.J.A.C. 2:91 Criteria and Standards for Animal Waste Management.

F. Grandfather clause

(1) Any property which currently meets the definition of Home Animal Agriculture and which is currently operating out of compliance with any of the above provisions pertaining to Permitted Animals, Lot Size Minimums, and General Standards, shall be permitted to apply to the Zoning Office for a Certificate of Non-Compliance. These properties, however, shall be required to comply with the provisions for Waste Management. In the event that a Certificate of Non-Compliance is denied, application may be made to the Zoning Board for a determination that such use previously existed in addition to any request for a use variance.

BE IT FURTHER ORDAINED, Any Ordinance or parts of ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon passage and publication in accordance with the laws of the State of New Jersey.

Introduced: June 24, 2008

	Pfrommer	Mattei	Merckx	Petsch	Scavelli
YES					
NO					
ABSTAIN					
ABSENT					

Public Hearing Held: July 22, 2008

Adopted: , 2008

	Pfrommer	Mattei	Merckx	Petsch	Scavelli
YES					
NO					
NO					
ABSTAIN					

NOTICE

The above ordinance was introduced and passed on first reading at the meeting of the Township Committee of the Township of Franklin in the County of Gloucester held on the 24th day of June, 2008 and will be considered for final passage at a meeting to be held by the Township Committee at 8:00 p.m. on the 22nd day of July, 2008 at which time and place any person interested will be given an opportunity to be heard.

FRANK SCAVELLI, Mayor

ATTEST:

CAROLYN TOY, Clerk

CERTIFICATION

I, CAROLYN TOY, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing ordinance was introduced at a regular meeting of the Township of Franklin held on Tuesday, June 24, 2008, and thereafter duly advertised in the legal newspaper of the Township at least 10 days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Tuesday, July 22, 2008, at which time any person interested therein will be given an opportunity to be heard.

CAROLYN TOY, Clerk