

**BOROUGH OF OAKLAND
ORDINANCE NO. 21-CODE-826**

**AN ORDINANCE AMENDING CHAPTER 59 "LAND USE
AND ZONING", ARTICLE VII "ZONING", SECTION 59-49
"RESIDENTIAL ZONES", SUBSECTION 59-49B
"ACCESSORY USE" TO ESTABLISH RULES AND
REGULATIONS FOR THE KEEPING OF CHICKENS AS
AN ACCESSORY USE**

WHEREAS, the Mayor and Council of the Borough of Oakland believes it is in the best interest of the citizens of the Borough to establish rules and regulations for the keeping of chickens on a residential lot.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oakland as follows:

Section 1. Chapter 59 "Land use and Zoning", Article VII "Zoning", Section 59-49B(7) is hereby amended in its entirety as follows:

The housing or keeping of chickens in a residential zone for personal use is permitted subject to the following regulations:

- (1) No person shall keep a rooster male chicken.
- (2) A person who rents the property where chickens are proposed to be kept or maintained shall receive written permission from the owner of the property.
- (3) No chickens or by-products are to be sold or commercially distributed.
- (4) Chickens shall be kept in a roofed shelter or coop, which shall provide a minimum of three horizontal square feet per adult bird, and if a fully enclosed fenced chicken run is provided, a minimum of five square feet per adult bird.
- (5) Chickens are not permitted to roam freely unless they are in a contained area such as a fenced-in area.
- (6) A chicken shelter/coop and chicken run are only permitted in the rear yard and the chicken shelter/coop shall comply with the accessory structure setbacks in accordance with Schedule B and C of the Land Use and Zoning Code.

- (7) The fenced-in chicken run shall be well drained so that there is no accumulation of standing water. The floors and walls of the chicken shelter or coop shall be kept in a clean and sanitary condition, with all droppings collected at least weekly.
- (8) If, for any reason, an applicant no longer keeps and raises chickens, they shall be removed from the property in a humane manner.
- (9) Chickens shall be kept and maintained at all times in a humane manner and in accordance with good agricultural practices.

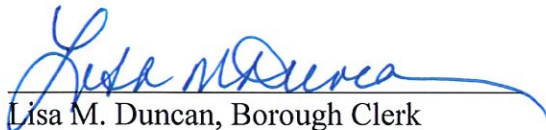
Section 2. Should any part, portion or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. This ordinance shall take effect immediately upon publication and final passage according to law.

Section 5. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Bergen County Planning Board pursuant to N.J.S.A. 40:55D-16.

ATTEST:


Lisa M. Duncan, Borough Clerk


Linda H. Schwager, Mayor

This is to certify that this is a true copy
as adopted by the Mayor and Council
of the Borough of Oakland at a meeting
held on May 26, 2021

Borough Clerk 