

**BOROUGH OF LAKEHURST**

**WORK SESSION/REGULAR MEETING  
DECEMBER 20, 2018  
TENTATIVE AGENDA**

1. Approval of Minutes of December 6, 2018 Regular Meeting
2. Approval of Executive Session minutes from January 18, 2018 to October 4, 2018
3. Resolution regarding payment of bills
4. Resolution regarding 2019 Municipal Service Fee for Balfour Beatty Communities, LLC for Pinehurst Estates
5. Resolution regarding raffles license for Ocean County Retired Educator's Association Philanthropic Fund, Inc.
6. Approval and second reading of Ordinance #18-16 entitled: "AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND SUPPLEMENTING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ANIMAL CONTROL"
7. Executive/Closed Session to discuss personnel matters/contract negotiations

Bernadette Dugan, RMC/CPM  
Municipal Clerk

*The Mayor and Council reserve the right to add or delete items from the agenda.*

**RESOLUTION  
DECEMBER 20, 2018**

**WHEREAS**, the governing body of the Borough of Lakehurst, in the County of Ocean and State of New Jersey has carefully examined all vouchers presented to the Borough Clerk for payment of claims; finding all to be accurate and legitimate;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the bills list as presented in the amount of \$36,812.12 is hereby approved.

**I, Bernadette Dugan, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of December 20, 2018.**

**\_\_\_\_\_  
Bernadette Dugan, RMC  
Municipal Clerk**

P.O. Type: All  
Range: First to Last  
Format: Detail without Line Item Notes

Open: N Paid: N Void: N  
Rcvd: Y Held: Y Aprv: N  
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type Description	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
18-00005	01/09/18	A0093 ACTION UNIFORM CO. 1 SERVING SINCE 2005 NAMETAG	20.00	8-01-25-240-272	B UNIFORM REPAIRS - REPLACE		R	01/09/18	12/18/18		22158
18-00535	06/28/18	E0007 ECONO SIGNS 1 12" X 18" CUSTOM SIGN - LAKE 3 SHIPPING	72.00 13.40 85.40	8-01-26-290-264 8-01-26-290-264	B STREET SIGN MATERIALS B STREET SIGN MATERIALS		R R	06/28/18 06/28/18	12/18/18 12/18/18		10-945790
18-00723	08/31/18	I0274 ITALY'S BEST PIZZERIA 1 PRISONERS LUNCH 8/7/18 NNO	115.00	G-02-00-224-002	B Clean Communities 2017		R	08/31/18	12/18/18		
18-00801	09/26/18	E0011 ERS FLEET REPAIR 1 FD VEHICLE 6223 - STEERING	3,681.11	8-01-26-291-281	B FIRE DEPT VEHICLE MAINT/REPAIR		R	09/26/18	12/18/18		3974
18-00814	10/04/18	F0043 FAIELLA TITLE RECOVERY 1 SALABLE TITLE	350.00	8-01-25-240-299	B Police - Miscellaneous		R	10/04/18	12/18/18		
18-00879	10/16/18	U0012 U.S. MUNICIPAL SUPPLY INC. 1 JETTER HOSE 1" X 500' 2500 PSI	1,625.00	8-09-00-101-244	B EQUIPMENT - MAINTENANCE/REPAIR		R	10/16/18	12/18/18		6144138
18-00915	11/02/18	M0013 BILL MEYER ELECTRIC 1 PW OFFICE LIGHT FIXTURES	701.15	C-04-00-557-001	B MUNICIPAL BUILDING IMPROVEMENTS (18-05)		R	11/02/18	12/18/18		1733
18-00920	11/02/18	T0972 TONY'S GENERAL MERCHANDISE 1 PW WORK BOOTS 8 EMPLOYEES	1,187.46	8-09-00-101-271	B UNIFORMS		R	11/02/18	12/18/18		
18-00921	11/02/18	M0118 MIRACLE CHEMICAL CO. 1 200 GAL SODIUM HYPOCHLORITE	666.00	8-09-00-101-267	B CHEMICALS		R	11/02/18	12/18/18		
18-00939	11/27/18	T0024 TREC DIRECT MAILING SERVICES 1 PROPERTY ASSESSMENT NOTICES	376.94	8-01-20-150-216	B PRINTING		R	11/27/18	12/18/18		
18-00941	11/27/18	R0040 THE RODGERS GROUP, LLC 1 NJSACOP ACCREDITATION	3,325.00	8-01-25-240-295	B Police - Accreditation		R	11/27/18	12/18/18		4836

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
18-00942	11/27/18	A0090 ACCURATE TOWING									
		1 IMPOUND INVOICE: 54857-1	125.00	8-01-25-240-297	B	Police - Towing Charges	R	11/27/18	12/18/18		54857-1
18-00943	11/27/18	H0626 HENDERSON LABS, J.R. INC.									
		1 LAB TESTS NOVEMBER 2018	120.00	8-09-00-101-222	B	CONTRACTUAL SERVICES	R	11/27/18	12/18/18		53853
18-00944	11/27/18	P0032 THE PARTS SHACK, LLC									
		1 INVOICE# 258520 BATTERY AND	105.71	8-01-26-291-256	B	PUBLIC WKS VEHICLE MAINT/REP	R	11/27/18	12/18/18		258520
		2 INVOICE# 258217 GAUGE & HYD.	105.79	8-01-26-291-256	B	PUBLIC WKS VEHICLE MAINT/REP	R	11/27/18	12/18/18		258217
			211.50								
18-00945	11/27/18	D0072 DYNAMIC TESTING SERVICE, LLC									
		1 RANDOM DRUG/ALCH TEST - PW	80.00	8-01-26-305-299	B	MISCELLANEOUS	R	11/27/18	12/18/18		10923
18-00946	11/27/18	P0837 PITNEY BOWES, INC.									
		1 DM1001 RED INK CARTRIDGES	169.98	8-01-20-120-211	B	Clerk - Office Supplies	R	11/27/18	12/18/18		
		2 INK PAD REPLACEMENT KIT	22.99	8-01-20-120-211	B	Clerk - Office Supplies	R	11/27/18	12/18/18		
			192.97								
18-00947	11/28/18	H0520 CORE & MAIN									
		1 SENSUS SOFTWARE SUPPORT RENEW	2,150.00	8-09-00-101-222	B	CONTRACTUAL SERVICES	R	11/28/18	12/18/18		J806613
18-00953	11/30/18	M0043 MONMOUTH COUNTY TREASURER									
		1 WAIVER TRAINING HARRY PAUL	500.00	8-01-25-240-284	B	TRAINING & EDUCATION	R	11/30/18	12/18/18		
18-00987	12/05/18	V0855 VERIZON									
		1 PHONE BILL	13.10	8-01-31-440-275	B	TELEPHONE	R	12/05/18	12/18/18		
18-01001	12/12/18	R0158 REMINGTON, VERNICK & VENA									
		1 TAX MAP MAIN/REVISIONS 2018/19	250.00	8-01-20-165-232	B	ENGINEERING SERVICES	R	12/12/18	12/18/18		1514T105-2
18-01003	12/14/18	I0274 ITALY'S BEST PIZZERIA									
		1 BORO EMPLOYEES LUNCH	204.36	8-01-20-100-299	B	MISCELLANEOUS	R	12/14/18	12/18/18		
18-01007	12/14/18	T0004 TROOP 10 BOY SCOUTS									
		1 CLEAN COMMUNITIES CLEAN UP	250.00	G-02-18-229-001	B	Clean Communities - 2018	R	12/14/18	12/18/18		
18-01010	12/14/18	I0274 ITALY'S BEST PIZZERIA									
		1 TREE LIGHTING PIZZAS	60.00	8-01-28-370-299	B	MISCELLANEOUS	R	12/14/18	12/18/18		

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
18-01016	12/14/18	D0042 DEBBY PEASE									
		1 THANKSGIVING REIMBURSEMENT	99.70	8-01-28-370-299	B	MISCELLANEOUS	R	12/14/18	12/18/18		
18-01017	12/18/18	B0019 BOLLINGER, INC. - DENTAL									
		1 DENTAL INSURANCE 12/18	3,435.14	8-01-23-220-226	B	Insurance - Dental	R	12/18/18	12/18/18		046289
18-01018	12/18/18	N0136 NJ NATURAL GAS COMPANY									
		1 ESC GAS BILL	817.97	8-01-31-437-269	B	NATURAL GAS	R	12/18/18	12/18/18		
		2 PW GARAGE GAS BILL	835.11	8-01-31-437-269	B	NATURAL GAS	R	12/18/18	12/18/18		
		3 COMMUNITY CENTER GAS BILL	591.34	8-01-31-437-269	B	NATURAL GAS	R	12/18/18	12/18/18		
		4 PD HQ GAS BILL	319.58	8-01-31-437-269	B	NATURAL GAS	R	12/18/18	12/18/18		
		5 BOROUGH HALL GAS BILL	272.95	8-01-31-437-269	B	NATURAL GAS	R	12/18/18	12/18/18		
			<u>2,836.95</u>								
18-01019	12/18/18	P0158 PITNEY BOWES									
		1 MAILING METER CHARGES	126.00	8-01-20-120-299	B	MISCELLANEOUS	R	12/18/18	12/18/18		1010387274
18-01020	12/18/18	W0021 WESTERN PEST SERVICES									
		1 PEST CONTROL SERVICE 12/18	110.00	8-01-26-310-222	B	CONTRACTUAL SERVICES	R	12/18/18	12/18/18		4899795B
18-01021	12/18/18	A9111 ADP, LLC									
		1 PAYROLL CHARGES PDEND 9/28/18	36.25	8-01-20-130-299	B	Finance - Miscellaneous	R	12/18/18	12/18/18		525846010
18-01022	12/18/18	A0506 AT&T									
		1 AT&T TELEPHONE CHARGES - COURT	91.70	8-01-31-440-275	B	TELEPHONE	R	12/18/18	12/18/18		
18-01023	12/18/18	J0900 JCP&L									
		1 ELECTRIC BILL UF	2,794.98	8-09-00-101-276	B	ELECTRIC	R	12/18/18	12/18/18		
18-01024	12/18/18	C0060 COMCAST CABLE									
		1 ESC CABLE MODEM	112.35	8-01-31-440-275	B	TELEPHONE	R	12/18/18	12/18/18		
		2 POLICE DEPT CABLE MODEM	105.84	8-01-31-440-275	B	TELEPHONE	R	12/18/18	12/18/18		
			<u>218.19</u>								
18-01025	12/18/18	V0855 VERIZON									
		1 PHONE BILL	88.24	8-01-31-440-275	B	TELEPHONE	R	12/18/18	12/18/18		
18-01026	12/18/18	V0011 VERIZON WIRELESS									
		1 FIRE DEPT CELL PHONE BILL	55.51	8-01-31-440-275	B	TELEPHONE	R	12/18/18	12/18/18		



PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
18-01043	12/18/18	A0024 ACTION DATA SERVICES									
1	PAYROLL SERVICE PDEND 11/30/18		197.73	8-01-20-130-299	B Finance - Miscellaneous	R	12/18/18	12/18/18			60913
2	PAYROLL SERVICE PDEND 11/30/18		26.42	8-01-20-130-299	B Finance - Miscellaneous	R	12/18/18	12/18/18			60914
			224.15								
18-01044	12/18/18	A0075 GANNETT NEW JERSEY NEWSPAPERS									
1	CLERK ADVERT. 11/1/18-11/30/18		347.20	8-01-20-120-215	B Clerk - Advertising	R	12/18/18	12/18/18			0002121080
18-01045	12/18/18	N0029 TITAN, LLC									
1	BORO HALL WATER AND COOLER		12.00	8-01-26-310-299	B MISCELLANEOUS	R	12/18/18	12/18/18			
2	POLICE DEPT WATER AND COOLER		30.00	8-01-25-240-299	B Police - Miscellaneous	R	12/18/18	12/18/18			
3	PW GARAGE WATER AND COOLER		36.00	8-01-26-305-299	B MISCELLANEOUS	R	12/18/18	12/18/18			
4	BORO HALL DOWNSTAIRS WATER		2.00	8-01-20-145-299	B Tax Collector - Miscellaneous	R	12/18/18	12/18/18			
			76.00								
<hr/> <b>Total Purchase Orders: 49 Total P.O. Line Items: 63 Total List Amount: 34,563.26 Total Void Amount: 0.00</b> <hr/>											

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	8-01	22,781.12	0.00	22,781.12	0.00	0.00	22,781.12
WATER & SEWER OPERATING	8-09	9,513.64	0.00	9,513.64	0.00	0.00	9,513.64
Year Total:		32,294.76	0.00	32,294.76	0.00	0.00	32,294.76
	C-04	701.15	0.00	701.15	0.00	0.00	701.15
	C-08	362.50	0.00	362.50	0.00	0.00	362.50
Year Total:		1,063.65	0.00	1,063.65	0.00	0.00	1,063.65
	G-02	1,204.85	0.00	1,204.85	0.00	0.00	1,204.85
Total of All Funds:		34,563.26	0.00	34,563.26	0.00	0.00	34,563.26



P.O. Type: All  
Range: First to Last  
Format: Detail without Line Item Notes

Open: N Paid: N Void: N  
Rcvd: Y Held: Y Aprv: N  
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
18-01027	12/18/18	W0030 WEX BANK	2,248.86	8-01-31-447-265		B GASOLINE	R	12/18/18	12/18/18		56858756
Total Purchase Orders:		1	Total P.O. Line Items:		1	Total List Amount:	2,248.86	Total Void Amount:		0.00	

Totals by Year-Fund  
Fund Description

Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS 8-01	2,248.86	0.00	2,248.86	0.00	0.00	2,248.86
Total of All Funds:	<u>2,248.86</u>	<u>0.00</u>	<u>2,248.86</u>	<u>0.00</u>	<u>0.00</u>	<u>2,248.86</u>

**RESOLUTION  
DECEMBER 20, 2018**

**WHEREAS**, the off-base housing complex known as Pinehurst Estates located in the Borough of Lakehurst is subject to the ownership, operation, and management by Balfour Beatty Communities, LLC, **and**

**WHEREAS**, Balfour Beatty Communities, LLC has entered into a contract with the Borough of Lakehurst to provide the municipal services of police, fire protection, emergency medical services, curbside trash and recycling (once per week) snow removal from streets, street cleaning, animal control, and roadside pest control, **and**

**WHEREAS**, the Borough and Balfour Beatty Communities, LLC have reached agreement on a formula to establish the municipal service fee per unit:

**PHE FEE SCHEDULE 2019 (ROUNDED TO WHOLE DOLLARS)**

School Budget 2017 – 2018 school year	\$10,477,665
Impact Aid 2017 – 2018	\$ 601,316
Impact Aid represents 5.74% of the budget	
706 Residences in the Borough	
83 units in PHE	
PHE represents 11.76% of residential area	
Funds raised by taxation 2017	\$ 4,243,320
\$4,243,320 x 11.76%	\$ 499,014
Discount 5.74%	\$ 28,639
Municipal fee	\$ 470,375
Municipal fee per unit	\$ 5,667; and

**WHEREAS**, the Borough and Balfour Beatty Communities, LLC have reached agreement amending the original contract as to the establishment and use of the formula to be effective through December 31, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the contract for providing the above listed municipal services to the Pinehurst Estates military housing complex, be amended for the year 2019 to reflect the new municipal service fee of \$ 5,667.00 per unit per annum, effective January 1, 2019, as calculated by Chief Financial Officer William Antonides.

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of December 20, 2018.**

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**Bernadette Dugan, RMC/CPM  
Municipal Clerk**

**RESOLUTION  
DECEMBER 20, 2018**

**WHEREAS**, the Ocean County Retired Educator's Association Philanthropic Fund, Inc. has applied for a Raffles License to conduct an on-premise draw raffle awarding cash as a prize on March 14, 2019, **and**,

**WHEREAS**, the Statement of Findings and Determinations shows no reason why these licenses should not be issued,

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Raffles License for the Ocean County Retired Educator's Association Philanthropic Fund, Inc. is hereby approved.

**I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, hereby certify that the above resolution was approved by the governing body at the meeting of December 20, 2018.**

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**Bernadette Dugan, RMC/CPM  
Municipal Clerk**

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND  
SUPPLEMENTING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ANIMAL  
CONTROL”**

**#18-16**

**WHEREAS**, the State of New Jersey encourages municipalities to promote sustainable programs;  
**and**

**WHEREAS**, the concept of local sustainability has inspired an interest in backyard food production; and

**WHEREAS**, the keeping of “backyard chickens” is a means by which sustainability can be achieved: **and**

**WHEREAS**, pursuant to NJS 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law;

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that:

Chapter 5 is hereby amended to provide for Section 5.9 Backyard Chickens and said section is hereby amended and revised as follows:

**I.**

**SECTION 5-9.1. Purpose and Intent**

The purpose of this ordinance is to provide appropriate standards and regulations for keeping chickens for noncommercial purposes within an urban residential environment. The ordinance establishes standards and limitations so as to avoid adverse impacts on neighboring properties and residents, and to provide for the health and safety of the chickens.

**SECTION 5-9.2. Definitions and Rules of Construction:**

Chicken—for the purpose of this code, a chicken (*Gallus domesticus*) refers only to a female chicken.

Coop—the covered house, structure or room that is required in order to provide chickens with shelter from the weather and with a roosting area protected from predators.

Chicken enclosure—means a fenced (or wire) area, or pen, required in association with a coop in order to

provide an outside exercise area for the chickens free from predators, and of a size that allows for access to a foraging area, sunlight, and natural space.

Repeat violation—shall mean as provided for in this section, a violation of the provision of this section by a person who has been previously found, through a code enforcement process or any other quasi-judicial or judicial process, to have violated, or who as admitted violating, the same provision within five years prior to the violation, notwithstanding that the violations may occur at different locations.

### **SECTION 5-9.3. Permitted Districts, Licensing & Enforcement:**

(a) General Conditions for the keeping of chickens.

1. No person shall keep chickens in areas other than the R-1, R-2, and R-3 zoning districts, unless otherwise provided for in this section.
2. No person shall keep chickens on his/her property without first obtaining a license from the Borough Clerk's office and paying the required fee therefor. Every license issued shall expire on December 31<sup>st</sup> of each year. No license shall be issued unless the applicant has demonstrated compliance with all criteria set forth in this article.
3. A new licensee who was maintaining chickens as of the effective date of this Ordinance may be issued a license allowing such person(s) to come into compliance with this section through the natural expiration of their chickens.
4. A license fee of \$10.00 shall be paid for each license issued pursuant to this Article.
5. All first-time applicants and licensees shall attend an educational class on the basics of raising backyard chickens acceptable to the Chicken Advisory Board. Proof of completion must be presented with the completed application. The Chicken Advisory Board will provide a class or refer the applicant to an acceptable backyard chicken-keeping class as needed.
6. Chickens may be kept on an occupied single-family property within the zoning districts. Chickens are allowed within manufactured home subdivisions, but are not allowed within mobile home/manufactured home parks.
6. Chickens must be kept within the coop or enclosure at all times. Chickens may roam outside of the coop area in a back yard suitably fenced to keep them contained provided that a resident age eighteen (18) or older is present the entire time.
7. No male chickens or roosters may be kept under the provisions of this Section of the Code.
8. Chickens shall be kept for personal use only. The selling of chickens, eggs or chicken manure, or the breeding of chickens for commercial purposes is prohibited.
9. The slaughtering of chickens on premises is not allowed.

(b) Location and Requirements for Chicken Coops and Enclosures.

1. Any chicken coop and fenced enclosure must be located in the rear yard. No coop, enclosure or chickens shall be allowed in any front or side yard. (Corner lots shall be excluded from the side setback restriction).

2. If the coop structure exceeds 100 square feet in size (10 foot by 10 foot), a building permit is required to be obtained from the Borough of Lakehurst. The coop and run structure shall not exceed 25% of the available back yard area.

3. The coop shall be covered and ventilated, and a fenced enclosure or run is required. The coop and enclosure must be completely secured from predators, including all openings, ventilation holes, doors and gates.

4. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than fifteen (15) feet to any door or window of any dwelling or inhabitable structure other than the owner's dwelling.

5. All stored feed must be kept in rodent and predator-proof containers.

6. The coop shall provide a minimum of three (3) square feet per chicken and be of a sufficient size to permit free movement of the chickens. The coop may not be taller than seven (7) feet, measured from the natural grade, and must be easily accessible for cleaning and maintenance.

(c) Health, Sanitation and Nuisance as applied to the keeping of chickens.

1. Chickens shall not be permitted to trespass on neighboring properties, be released or set free, and shall be kept within a coop and enclosure.

2. Chicken coops and enclosures shall be maintained a clean and sanitary condition at all times. Chickens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute to any other nuisance condition.

3. Waste shall be handled properly to prevent offensive odors and disposed of in an environmentally-friendly manner.

(d) Enforcement

### **Creation of the Chicken Advisory Board; Complaints.**

**A:** A Chicken Advisory Board consisting of three (3) members of the community shall be formed. The Chair will be appointed to a one (1) year term by the Mayor. The Chair will select two (2) other members, with approval of the Governing Body, who will also serve for one (1) year.

**B:** The Chicken Advisory Board shall assist first-time chicken owners by providing or recommending educational classes and assistance, as well as provide continuing educational opportunities from time to time.

**C:** The Chicken Advisory Board shall oversee compliance with all issued licenses. Any complaints

received by the Borough shall be forwarded to the Board, who shall investigate said complaint. If the Board finds a violation of this Section, solutions will be discussed with the offending resident to allow them to meet the requirements of the Section. If after thirty (30) days the violation has not been rectified, the complaint will be forwarded to the Code Enforcement Officer for investigation and compliance.

1. Enforcement regarding the keeping of chickens within any zoning district is addressed within this Section.

2. In addition to any other penalties, fines and other enforcement options available pursuant to the Borough of Lakehurst Code, the Borough reserves the right to seek revocation of any permit or license granted under this section and/or initiate prosecution for the enforcement of any civil infraction violation provided for under applicable law.

3. In a public health emergency declared by the Administrator of the Borough of Lakehurst, including but not limited to an outbreak of Avian Flu or West Nile virus, immediate corrective action may be required, in accordance with applicable public health regulations and procedures and in conjunction with Animal Services.

4. No person convicted as a repeat violator of Sections 3(a) through (d) of this Code may be permitted to, or continue to, keep chickens on their premises. Repeat violators are defined in Section 2 of this Code.

(e) Additional permitted locations for the keeping of Chickens

1. Notwithstanding the provisions of this section 5-9.3 to the contrary, any resident who resides in a pre-existing non-conforming residence located in a non-residential zone, may apply to the Chicken Advisory Board to keep Chickens as otherwise provided for in Section 5.9. The Chicken Advisory Board may issue a license to allow for the keeping of Chickens at such a location only upon proof being submitted, satisfactory to the Chicken Advisory Board, that the keeping of Chickens at the site shall be in accord with the provisions of Section 5.9.

**II.** All sections of Chapter 5 not amended hereunder shall remain in full force and effect.

**III.** In the event any section, part or provision of this Ordinance shall be held unconstitutional or in valid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

**IV.** All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

**V.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

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Harry Robbins, Mayor

**NOTICE**



**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Lakehurst, in the County of Ocean, held on the 6<sup>th</sup> day of December, 2018 and will be considered for second reading and final passage at the regular meeting of said governing body to be held on the 20th day of December, 2018 at 7:30 p.m. in the Lakehurst Community Center, Corner of Pine & Center Streets, Lakehurst, New Jersey at which time and place any person desiring to be heard will be given an opportunity to be so heard.

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Bernadette Dugan, RMC/CPM  
Municipal Clerk