

**STATE OF NEW JERSEY
COUNTY OF ATLANTIC
TOWNSHIP OF MULLICA**

ORDINANCE 06-2026

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF MULLICA,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY AMENDING CHAPTER 144 OF THE
TOWNSHIP CODE CAPTIONED "PASTORAL ANIMALS"**

WHEREAS, on a periodic basis, the Mayor and Township Committee the Township of Mullica review various provisions of the Township Code and in doing so have determined that Chapter 144 captioned "Land Development" shall be amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, as follows:

SECTION 1.

Article II of Chapter 144 captioned "Terminology", Section 144-9 captioned "Definitions" shall be amended as follows:

Mini Animals – Animals, especially farm animals that are selectively bred for their small stature, often resembling their larger counterparts but in a more compact form.

Fowl Animals – Barnyard or domesticated birds such as chickens, ducks, geese, turkeys, guinea hens, peafowls and other such birds that are raised for meat, eggs or other purposes including pest, insect, and disease control.

Pastoral Animal – a Pastoral Animal is considered to be a cow, horse, pony, mule, pig, hog, sheep, goat, llama, donkey.

SECTION 2.

Section 144-123 of Chapter 144 captioned "General Requirements for All Districts", Sub-Section R captioned "Pastoral Animals" is repealed and replaced with a new Sub-Section R captioned "Pastoral Animals" to read as follows:

Pastoral Animals

(1) Pastoral animals. Pastoral animals may be maintained in any district, provided that the pastoral animal chart, attached hereto and incorporated by reference herein, is adhered to and further provided that any such animal must be provided with a shelter or coop large enough to house all animals from the elements and further provided that said stable or coop shall conform to the requirements below. **See attached chart for allowable animals/fowl per acreage.**

(2) General Requirements.

- (a)** All pastoral animal uses existing as of the date of this chapter, which do not comply with the acreage requirement, setback requirement, and/or shelter requirements of this chapter are hereby declared to be preexisting non-conforming uses and are permitted to continue as such without expansion or enlargement of said non-conforming use. All other requirements of this chapter apply.

- (b) All pastoral animals must be maintained within a fenced enclosure. The fence must be reasonably designed to maintain the animal(s) within the fenced enclosure.
- (c) A grazing set back area not closer than two (2) feet with a six-foot-high enclosed fence or 8 feet with a split rail fence to any property line shall be provided.
- (d) In addition to the requirements herein for all pastoral animals, the stable or coop required to be constructed hereinabove must be built and maintained so as not to create offensive odors, fly breeding or other nuisances; manure must be collected and maintained in a sanitary manner so as to prevent offensive odors, fly breeding or other nuisances.
- (e) The housing of pastoral animals shall comply with the following standards:
 - i. The animal(s) shall be sheltered in a structure setback as follows:
 - (a) Pastoral animals – 15 feet from property line
 - (b) Fowl – 10 feet from the property line. Enclosed structure requirements are 2 SF X 2SF per bird
 - (c) For pastoral and fowl - 25 feet from neighboring residence
 - ii. Any structure erected shall be further regulated according to the following:
 - (a) An enclosed roofed storage area must be provided for hay, straw, feed, tack, and bedding.
 - (b) An adequate supply of feed and non-stagnant drinking water shall be maintained.
 - (c) Proper disposal of animal waste, garbage, refuse or vegetable matter in such a manner as to prevent unhealthy or unsanitary conditions. Further, manure disposal must cause no nuisance and be at least 50 feet from any property line. Further, the manure must be collected from the barn area and maintained or disposed of in a sanitary manner. If stored, a covered enclosure or covered pit shall be provided to prevent offensive odors, fly breeding, and other nuisances.
 - (d) The preceding housing requirements shall specifically exclude the keeping of domestic animals for boarding, training, sale and resale; however, such activities are not in connection with the pursuit of agricultural use and do not relate to animals clearly related to the principal residential use and its occupants.
 - (e) The providing of riding lessons or instructions, leasing of horses or other similar activities or boarding or housing other individual's animals is permitted with site plan approval. This shall, however, not preclude a riding instructor visiting the private residence to give lessons to members of that household.

(3) General Regulations Applicable to all Animals.

No Running At Large.

Every person owning, harboring, keeping or having charge of any animal as described above in this chapter shall:

- (a) Prevent such animal from running at large upon any public highway, street, alley or park or private property without the consent of the owner thereof or upon any other place in said Township at any time.
- (b) Prevent any such animal from injuring or damaging any vegetable garden, flower garden, lawn, plant, tree, shrubbery, grounds or other personal property of any person other than the person owning, harboring, keeping or having charge of said animal.
- (c) No free-range fowl on less than one acre.

Noisy Animals or Fowl.

- (a) No person shall keep or harbor any animal or fowl within the Township which makes repeated and successive sounds, based on current sound ordinance (quiet hours policy).
- (b) A separate offense shall be deemed committed each day during or on which the offense occurs or continues.

Nuisance Conditions Prohibited.

- (a) No person shall keep or harbor any animal or fowl in the Township so as to create obnoxious, or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public or the animal.
- (b) A separate offense shall be deemed committed each day during or on which the offense occurs or continues.

Injuring Animals.

- (a) No person shall maliciously or willfully kill or injure any animal. This section does not apply to a licensed veterinarian acting in an official capacity, or fowl/pastoral animals raised for food consumption.

(4) Nothing in this Zoning Ordinance shall be construed to require that the limitations on the number of Pastoral Animals imposed by this or any other section of this Chapter shall apply to any commercial farming or agricultural use qualifying for a farmland assessment, and all such commercial farms or agricultural uses qualifying for a farmland assessment shall be permitted to maintain and raise Pastoral Animals without limitation, subject, however, to all applicable local and state statutes, ordinances, rules and regulations.

(5) Emotional Support Animals.

A. Definition

An Emotional Support Animal is an animal that a licensed physician or licensed mental health professional has determined to help and assist a person with a disability by improving at least one of that person's disability symptoms.

B. Requirements

1. Emotional Support Animals (ESA) are permitted in every Zoning District in the Township.
2. In order to house an ESA on any property in the Township, the owner must consult with a licensed medical health, mental or physical health professional about the person's mental and physical health symptoms. An appropriate letter must be signed and provided by the licensed health professional confirming that the person as the owner of the animal is in need of an ESA, and the number of ESA's which are needed to properly address the owner's affliction.
3. Thereafter the letter shall be filed by the owner with the Zoning Officer of the Township.
4. Only after the above conditions are satisfied will the Zoning Officer issue a permit to the owner of the ESA allowing use of the Support Animal(s).

SECTION 3.

A. Penalties.

1. Violations of Section 2 of this Ordinance shall be cause for a notice of penalty to be issued by the Township Zoning Officer as follows:
 - (a) First Offense: a fine not less than \$250.00 and not to exceed \$500.00
 - (b) Second Offense: a fine of not less than \$500.00 and not to exceed \$750.00
 - (c) Subsequent Offenses: a find of not less than \$1,000.00 for each offense
2. In addition, any individual, organization or establishment that fails to abide by Section 2 when required to do so may be subject to closure and/or a Cease-and-Desist Order.

B. Abatement Orders.

1. Except as provided in subsection B(2) below, in lieu of issuing a notice of penalty as provided in subsection A, the above named official may issue an Order requiring abatement of the issue in violation within a reasonable time period and according to the requirements set forth in that abatement notice.
2. An abatement Order shall not be issued if
 - (a) any person willfully or knowingly violates any provision of this Section; or
 - (b) the Zoning Officer has reason to believe there will be no compliance with the Abatement Order;

C. Other Remedies.

No provision of this Section shall be construed to impair any common law or statutory cause of action, or legal remedy arising from any violation of this Section or from other law.

SECTION 4. All Ordinances or parts of Ordinances, are inconsistent with this Ordinance, are hereby repealed to the extent of such inconsistency only.

SECTION 5. Should any section, subsection, part, clause or phrase of this Amended Ordinance be declared unconstitutional or invalid for any reason, the remaining portions 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.

SECTION 6. This Ordinance shall take effect after final adoption and publication as required by law.

INTRODUCTION: March 30, 2026

PUBLICATION: April 30, 2026

ADOPTION: May 26, 2026



DeAnna DeMarco
Mayor



Monica Newton
Acting Municipal Clerk

Fowl/Poultry Animals

Animal/ Acre	.25	.5	1	1.5	2	2.5	3	3.5	4
Fowl	5	10	25	50	100	150	200	250	300
Roosters	0	1	3	5	10	15	20	25	30
Peacock	0	0	1	1	2	2	3	3	4

Grazing/Pastoral Animals (Miniature Animals shall count as ½ regular animal)

Animal/ Acre	.25	.5	1	1.5	2	2.5	3	3.5	4	4.5	5
Horse/ Cow	0	0	0	1	2	3	4	5	6	7	8
Pig/ Hog	0	0	2	3	4	6	8	10	12	14	16
Goat/ Sheep/ Lama/ Alpaca	0	0	2	5	10	15	20	25	30	35	40

**Township of Mullica
Land Use Board**

Memo

To: Monica Newton, Township Clerk
From: Brian D. Heun, Land Use Board Solicitor
Date: May 7, 2026
Re: Proposed Ordinance – Pastoral Animals, #06-2026

Ms. Newton,

Please be advised that the Mullica Township Land Use Board (“the Board”) met on May 6, 2026 and at that meeting reviewed the above-referenced proposed ordinance regarding Pastoral Animals. After the Board members discussed the matter and after hearing from the Board’s Professional Planner, Deborah Wahl, PE, PP, a vote was taken confirming the Board found the proposed ordinance fully consistent with the Mullica Township Master Plan.

The only recommendation is that in Subsection 2(1) on page one of the proposed ordinance in the third line it appears the word “shelter” was omitted before the words “or coop”. It is recommended this be corrected.

It should also be noted that during general public comment a number of residents raised concerns and issues about the ordinance that the Board found reasonable and appropriate but outside the Board’s scope of review. The residents were encouraged to attend the Committee meeting at which the second reading of the Ordinance will take.

This memo is intended to serve as the report required by *N.J.S.A. 40:55D-26a*.

Please let me know if Township Committee would like any additional information in this regard.

Respectfully yours,

Brian D. Heun

Brian D. Heun, Esquire
Planning Board Solicitor