

**ORDINANCE 2012-07**  
**LOWER ALLOWAYS CREEK TOWNSHIP**

**AN ORDINANCE REPEALING SECTION 5.21 (F) (2) OF THE LAND USE CODE OF  
THE TOWNSHIP OF LOWER ALLOWAYS CREEK**

WHEREAS, the New Jersey legislature has determined that certain agricultural activities are to be encouraged and have been found to be beneficial, which finding is set forth in the "Right to Farm Act", *N.J.S.A. 4:1C-1, et seq.*; and

WHEREAS, the provisions of the Lower Alloways Creek Township land development ordinance designated LD 5.21 may contain provisions that are inconsistent with the provisions of the "Right to Farm Act"; and

WHEREAS, the Mayor and Township Committee have determined that this ordinance should be reviewed by the Planning Board to determine which sections shall remain, and which sections shall be repealed and/or modified; and

WHEREAS, the Mayor and Township Committee have determined that § LD 5.21(F)(2) should be repealed.

NOW, THEREFORE, BE IT ADOPTED by the Mayor and Township Committee of Lower Alloways Creek that § LD 5.21(F)(2) be and is hereby repealed, and the remainder of subsection (F) shall be renumbered accordingly as follows:

F. Farm and Agricultural Uses. In the districts where farm and agricultural uses are permitted the following additional provisions governing their use shall apply:

1. Such uses are conducted upon a lot not less than five (5) acres in area.

~~2. No building or structure used for shelter or enclosure of fowl, game, horses, farm livestock, or adult dogs shall be closer to any property line than two hundred (200) feet.~~

2. Buildings used for the shelter of fowl of any kind shall have a maximum usable floor area of two thousand (2,060) square feet for the first ten (16) acres and five thousand (5,000) additional square feet for each additional acre.

3. One domestic horse for the personal use of the occupants of the residence may be maintained on any lot at least three (3) acres in size. An additional two (2) acres shall be required for each additional horse.

4. The display for sales of products grown or raised by the owner, tenant or lessee on a roadside stand shall only be permitted where:

a. The sale of any such products shall not have a deleterious effect on adjoining properties by reason of nuisance or health hazard.

5. Intensive fowl or livestock farms shall be prohibited

THIS ORDINANCE shall take effect according to law following review by the Lower Alloways Creek Township Planning Board for consistency with the Master Plan.

Introduction: October 16, 2012 4-0

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRESLIN III			Y			
MR. PALOMBO		S	Y			
MR. VENABLE	M		Y			
MR. WOOD			Y			
MAYOR POMPPER						ABSENT

Final: December 18, 2012

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRESLIN III						
MR. PALOMBO						
MR. VENABLE						
MR. WOOD						
MAYOR POMPPER						

Attest

Township of Lower Alloways Creek

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Ronald L Campbell Sr., Clerk

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