

ORDINANCE NO. 06-2009

**AN ORDINANCE OF THE TOWNSHIP OF HARRISON,
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY TO AMEND THE CODE OF
THE TOWNSHIP OF HARRISON, BY DELETING AND REPEALING ARTICLE III
SECTION 225-133 ET SEQ ENTITLED AGRICULTURAL REGULATIONS AND
REPLACING IT WITH A NEW ARTICLE III SECTION 225-133 ET SEQ ENTITLED
AGRICULTURAL REGULATIONS WHICH CHAPTER PROVIDES FOR AN UPDATE
OF THE REQUIREMENTS FOR AGRICULTURE AND ASSOCIATED USES WITHIN
THE TOWNSHIP.**

BE IT ORDAINED by the Township Committee of the Township of Harrison as follows:

SECTION I. The Code of the Township of Harrison is hereby amended by deleting and repealing Article III, Section 225-133 et seq., entitled Agricultural Regulations.

SECTION II. The code of the Township of Harrison is hereby amended by adding thereto a new chapter to replace Article III, Section 225-133 et seq., entitled Agricultural Regulations hereinabove repealed, to be Article III, Section 225-133 et seq, entitled Agricultural Regulations, to read as follows:

Section 225-133. Agricultural Regulations.

- A. For the purposes of this chapter, agricultural uses shall be permitted in any zoning district, provided that the regulations of this section are met. Agricultural uses shall include the following:
- (1) The tilling of the soil, the raising of crops, fruits and vegetables, greenhouses and nurseries;
 - (2) The storage, packing and marketing of fruits and vegetables produced on the premises.
 - (3) The hatching and raising on a commercial scale of poultry, rabbits, and fish or seafood.
 - (4) The raising and grazing of horses, cattle, sheep and goats, including supplementary feeding of such animals, provided that such raising or grazing is not a part of, nor conducted in conjunction with, a livestock slaughterhouse or animal by- products business.
 - (5) The keeping and raising of hogs, provided that there shall be no feeding of any market or house refuse, garage, or offal, other than that produced on the premises;
 - (6) The slaughtering, dressing and marketing of poultry, cattle, sheep, hogs and rabbits incidental to the operation of a farm;

- (7) Dairy farming and dairy products;
- (8) Public and private stables, and riding academies;
- (9) Bee keeping; and
- (10) Dwellings used in conjunction with the agricultural use.

B. Agricultural uses shall conform to the following regulations in addition to any other pertinent regulations in this chapter.

- (1) Raising of livestock and poultry on parcels of land less than six acres in area shall be limited to keeping and raising of two head of livestock or 50 fowl per clear acre. The land shall not be used for any other purpose under this subsection than the raising of livestock and poultry. The land shall be devoted to only the indicated number of livestock or fowl, including the shelter, if any, for such farm animals and shall not be used for any other purpose. Any residence on the same lands shall be on a minimum of one additional acre. Therefore, not less than a total of two acres shall be necessary to raise the livestock or fowl indicate herein with a residence on the same lands. All swines shall be specifically prohibited on parcels of land less than six acres in area.
 - (a) “Livestock” for the purpose of the subsection shall be defined as cattle, horses, or other non-domesticated animals of similar size.
 - (b) “Fowl” shall herein be defined for purposed of this subsection as chickens, turkeys, ducks, geese or any other such farm birds raised on the premises.
 - (c) The prohibitions set forth in this subsection are not intended to include domesticated animals which shall be for purposed of this subsection defined as dogs, cats, or other pets which may be maintained both inside or outside.
 - (d) “Clear acre” shall be defined as an acre of land exclusive of any residence.
- (2) Farm buildings shall not be constructed closer than 85 feet to a front property line nor closer than 100 feet to a side or rear property line, including temporary feed storage.
- (3) Farm dwelling shall conform to the area and yard requirements of the district regulations in which they are located.
- (4) No manure storage shall be established closer than 85 feet from a front property line nor closer than 10 feet from any other property line.

- (5) There shall be no more than one additional dwelling for each five acres of farmland.
- (6) The display and sale of farm products shall be permitted, provided that:
 - (a) At least 50% of such products shall have been produced on the property on which they are offered for sale. **It is permitted to sell processed farm products through a farm stand or farm market, such as, but not limited to jellies, baked goods and cider.**
 - (b) **Any signage for a farm stand shall comply with the sign ordinance.**
 - (c) A minimum of three off-street parking spaces shall be provided.
 - (d) Sale of farm products shall be conducted from a temporary portable stand, dismantled at the end of the growing season, or from a permanent building under the following conditions:
 - (1) Such buildings or structures shall be located at least 50 feet from the right-of-way line of the road;
 - (2) Off-street parking spaces shall be provided at a ratio of one space for each 300 square feet of gross floor area of the farm stand or market, but shall in no circumstances be less than three parking spaces; and
 - (3) The farm stand or market shall be closed for a period of 90 consecutive days out of each year or operation.
- (7) **The operation of a vineyard and winery shall be permitted including uses and activities that support and are compatible with a vineyard and winery, such as, but not limited to a winery tasting building, storage and processing building, art shows, outdoor concerts, banquets, seminars, wine tasting, catered events like wedding receptions and other similar events and activities. A vineyard and winery may be open for the entire year.**

SECTION III. VALIDITY: The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

SECTION IV. REPEALER: All Ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION V. ENACTMENT: This Ordinance shall take effect immediately upon posting, publication, approval, filing with the Gloucester County Planning Board and publication in the manner prescribed by law.

ATTEST:

TOWNSHIP OF HARRISON:

Diane L. Malloy
Acting Municipal Clerk

Louis Manzo
Mayor

INTRODUCED: 2/17/09
ADOPTED: 3/9/09

NOTICE

The above Ordinance was introduced and passed on first reading at the meeting of the Township Committee of the Township of Harrison, in the County of Gloucester, held on February 17, 2009 and was scheduled to be considered for final passage at a meeting to be held by the Township Committee at the Municipal Building located on 114 Bridgeton Pike, Mullica Hill, New Jersey, at 7:30 PM on March 2, 2009. Due to inclement weather, the March 2, 2009 meeting was rescheduled to March 9, 2009, at which time and place any person interested will be given an opportunity to be heard will be heard. Notice of the change in meeting date was given in accordance with the Open Public Meetings Act.