

**The Corporation of the  
Town of Arnprior**

**By-law Number 7214-21**

A by-law to regulate and licence the keeping of backyard chickens within the Town of Arnprior, County of Renfrew

**Whereas** the Municipal Act, 2011, S.O. 2001, c. 27 as amended (the “Act”) provides that municipalities may pass by-laws respecting matters within the following spheres of jurisdiction: animals; and

**Whereas** the Act, authorizes the council of a municipality to pass by-laws to provide for a system of licences and imposed fees or charges for services or activities provided or done by or on behalf of the municipality; and

**Whereas** the Council of the Corporation of the Town of Arnprior recognizes the benefits of backyard chickens and deems it desirable to permit them; and

**Whereas** the Council of the Corporation of the Town of Arnprior deems it expedient, necessary and in the public interest to regulate the keeping of backyard chickens in accordance with the provisions in Schedule ‘A’, for the purpose of public health and safety.

**Therefore**, the Council of the Town of Arnprior enacts as follows:

1. That the keeping of backyard chickens be permitted in the Town of Arnprior subject to the provisions in Schedule ‘A’; and that this by-law is known as the “Backyard Chicken By-law”.
2. That any other by-laws, policies, or resolutions or parts of by-laws, policies or resolutions inconsistent with this by-law to establish and regulate the keeping of backyard hens are hereby repealed;
3. That Schedule ‘A’ attached hereto shall form part of this by-law; and
4. That this By-law shall come into force and effect on the day of its passing.

**Enacted and passed** this 27<sup>th</sup> day of September, 2021.

**Originally signed by,**

Chris Toner, Deputy Mayor

Maureen Spratt, Town Clerk

## Schedule 'A'

### 1.0 Definitions

**Animal Control Officer** means a person or a person employed by a third party contractor appointed by the Corporation of the Town of Arnprior for the purposes of enforcing the provisions of this bylaw.

**At Large** means a hen found at any place other than on the property of the owner of the hen outlines in their Hen Coop Permit Application form.

**Backyard Chickens** means the accessory keeping of hens for the purpose of companionship as a pet or providing eggs for personal consumption by occupants of a dwelling on the same lot, and does not include accessory livestock, or agricultural uses.

**Coop** means a fully-enclosed weatherproof structure where hens are kept and the interior of which includes nest boxes for egg laying, perches for hens to roost on and food and water containers.

**By-law Enforcement Officer** a person or a person employed by a third party contractor appointed by the Corporation of the Town of Arnprior for the purposes of enforcing the provisions of this bylaw and other municipal By-Law's and related provincial offences by authority of the Ontario Police Services Act, 1990, Chapter P. 15, Section 15.

**Front Yard** means a yard extending across the full width of the lot between the front lot line and the nearest main walls of the main building or structure on the lot.

**Hen** means a domesticated female chicken that is at least four months old.

**Hen Run** means a covered secure enclosure that allows hens access to outdoors.

**License** means a licence issued under this By-law.

**Owner** means any person who possesses, harbours or keeps a hen.

**Poultry** includes game birds and roosters but does not include any bird sold as a household pet or a hen.

**Rear Yard** means a yard extending across the full width of the lot between the rear lot line and the nearest main walls of the main building or structure on the lot.

**Setback** means the distance by which a building or part of a building is set back from the property line.

## **2.0 Application**

2.1 Except as otherwise provided, the regulations established by this By-law apply to all backyard chickens within the boundaries of the Town and the owners of backyard chickens.

## **3.0 Licencing**

3.1 No person shall keep backyard chickens pursuant to this By-law, unless that person has submitted an application and receives a licence from the Town of Arnprior.

3.2 The applicant/owner of the backyard chickens must reside on the property where the backyard chickens/hens are kept.

3.3 An application for such licence must be signed by the applicant and/or landowner and shall include, but is not limited to, the following mandatory fields and declarations:

- a) Applicant information including name, address, postal code, telephone number and email address;
- b) Site sketch/plan illustrating the location of the hen coop on the property, clearly marking proximity to property lines, any other structures on property;
- c) Checklist of specific regulations contained in the By-law confirmed by the applicant;
- d) Veterinarian information including name, email, telephone number and/or email address; and
- e) Applicant will abide by the regulations contained within the Backyard Chickens Licensing By-law.

3.4 Tenants must obtain and provide written permission from the property owner to keep backyard chickens on the owner's property.

3.5 Every application for a backyard chicken licence shall be submitted to the Town on the form provided (application form or renewal form), together with the annual licence fee as outlined in Schedule 'A' to this By-law. Every license issued pursuant to this By-law shall expire on the 31<sup>st</sup> day of December for the year in which it was issued for. Applicants are required to renew their licence annually to keep backyard chickens.

## **4.0 Administration**

### **4.1 Hens Only and Maximum Number Permitted**

4.1.1 Only hens are permitted on eligible residential properties. The keeping of roosters is prohibited.

4.1.2 All hens must be no younger than four (4) months old in order to identify the sex of the chickens.

4.1.3 No Owner shall keep more than four (4) hens at any eligible residential property.

### **4.2 Eligible Properties**

4.2.1 No person shall keep hens unless they have first obtained a hen coop licence as per 3.0.

4.2.2 Only properties zoned residential are permitted to be licenced.

4.2.3 The following dwellings are not permitted to house hens:

- a) Apartment buildings;
- b) Condominium buildings; and
- c) Properties that do not meet the minimum lot size requirement and/or have insufficient outdoor space.

4.2.4 A minimum lot size of 500m<sup>2</sup> shall be required, ensuring that appropriate setbacks may be achieved.

### **4.3 Hen Coop and Run**

4.3.1 The following provisions are intended to restrict where a hen coop/run may be located as well as the area and general construction provisions:

- a) No coops and runs are permitted in a front yard or exterior side yard;
- b) A minimum setback of 3.0 m from the property line is required;
- c) A minimum setback of 1.2 m from the dwelling and other accessory buildings is required;
- d) A minimum setback of 3.0 m from all windows and doors of dwellings that are located on abutting properties is required;
- e) A minimum setback of 12.0 m from institutional and/or commercial land uses is required;
- f) A maximum of one (1) hen coop and one (1) outdoor run is permitted per property;
- g) A maximum floor area of 9.2 m<sup>2</sup> for a hen coop is permitted;
- h) A maximum height of 2 m for a hen coop is permitted;

- i) Coop is required to be fully enclosed with ventilation. If a heat source needs to be installed, the heat source must be a Canadian Standards Association (CSA) rated product and meet the Electrical Safety Authority (ESA) standards upon installation;
- j) Coop is required to be built to prevent rodent(s) from harbouring underneath or within the walls and prevent entrance by any other animal;
- k) Coop is required to have windows and vents which must be predator- and bird-proof;
- l) A minimum of one (1) nest box is required;
- m) A minimum of one (1) rodent-proof food and water container is required; and
- n) A minimum of one (1) perch giving 0.3m of space per hen is required

#### **4.4 Hens at Large**

4.4.1 No Owner shall allow or permit any of their hens to be at large at any time.

4.4.2 An Animal Control Officer or designate may seize any hen found running at large within the Town of Arnprior or found to be in the contravention of the provisions of this By-law.

#### **4.5 Disposal of Hens**

4.5.1 Deceased hens must be disposed of immediately in a sanitary manner.

4.5.2 All disposals must be done through a livestock disposal facility, the services of a veterinarian or animal shelter at the expense of the owner.

#### **4.6 Predators, Rodents, Insects and Parasites**

4.6.1 Hens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation must receive treatment in consultation with a veterinarian in a timely manner.

#### **4.7 Waste**

4.7.1 Owner is required to ensure that all manure and waste is removed and composted or disposed of safely from any coop in a timely manner.

4.7.2 All stored manure shall be covered by a fully enclosed container that meets the same setbacks as the hen coop/run.

4.7.3 All other manure not used for composting or fertilizing shall be removed daily from the hen coops and outdoor run.

#### **4.8 Non-Commercial Use Only**

4.8.1 Owners shall keep hens as pets and for personal use only.

4.8.2 Owner shall not sell or offer for sale or engage in the following:

- a) any part of a hen;
- b) eggs;
- c) manure;
- d) hen breeding; and
- e) fertilizer production for commercial purposes.

#### **4.9 Inspections**

4.9.1 Owners who hold a coop licence shall allow, at any reasonable time, an animal control officer or other authorized employee or agent of the Town to inspect the property, other than any room or place used as a dwelling, to determine whether all requirements of this by-law are being complied with.

#### **4.10 Fees and Licencing Application**

4.10.1 An initial application shall be submitted by all new applicants for any property proposing to receive a licence.

4.10.2 For applicants who have submitted an initial application for a property and received a licence, in the following years if no changes have been made since the initial application was submitted for that property, the applicant may submit a renewal application, to be issued the annual licence.

4.10.3 A change in occupancy or ownership of the property shall make the Backyard Chicken License null and void. The new occupant and/or owner shall submit a new initial application, not a renewal application.

4.10.4 The renewal application and applicable licence fee shall be submitted by March 1<sup>st</sup> of the year in which the licence is to be issued. Failure to do so may result in the Town issuing a fine for failure to obtain a licence.

4.10.5 If an applicant submitted an initial application and received a licence, but has not submitted a renewal application in the two (2) years following the expiration of the initial licence, the applicant will be required to submit an initial application again and not a renewal.

#### **4.11 General Regulations**

4.11.1 The following provisions shall be complied with:

- a) The slaughtering of backyard chickens/hens is prohibited;
- b) Sales of eggs, manure or other products associated with the keeping of hens are prohibited;
- c) All backyard chickens/hens must be kept securely in a coop or outdoor run at all times;
- d) Backyard chicken/hen coop must be locked from 9pm to 6am;

- e) All backyard chickens/hens must be kept in a clean and sanitary condition at all times, free from vermin, obnoxious smells and substances and in good repair;
- f) Backyard chickens/hens must be provided with food and clean water at all times, shelter, light, and ventilation;
- g) Food and water shall be kept in solid, rodent-proof and weather proof containers.

## **5. Penalty**

- a) Any person who contravenes any provision of this by-law is guilty of an offence, and upon conviction is liable to the penalties as provided for in the Provincial Offences Act, R. S. O. 1990, c. P. 33 as amended.
  
- b) A person who is convicted of an offence under this by-law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$200.00 and a maximum fine of \$10,000.00 and the total of all of the daily fines for the offence is not limited to \$100,000.00 as provided for in subsection 429(3)2 of the Municipal Act, 2001, S.O 2001, c.25, as amended.