



**BY-LAW NO. 2022-0056**

A By-law to amend the Town's Responsible Pet Owners By-law No. 94-077 to include the keeping of Urban Hens.

**WHEREAS** Section 102 of the *Municipal Act R.S.O. 1990, c. M.45* as amended permits every municipal council inter alia to pass such by-laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for by the Act as may be deemed expedient and not contrary to law:

**AND WHEREAS** Section 210(1) of the *Municipal Act R.S.O. 1990, c. M.45* as amended provides authority to Councils of municipalities to pass by-laws for regulating the keeping of animals or any class thereof within the municipality or defined area thereof;

**AND WHEREAS** on September 6, 2022 Council for the Town of Halton Hills approved Report No. ADMIN-2022-0034, dated August 10, 2022, in which certain recommendations were presented relating to the keeping of Urban Hens.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. For the purposes of this By-law:

Section 1, DEFINITIONS be amended to include the following;

- (a) "At Large" means in the case of a dog being in a place other than a property owned or occupied by its owner and not under the control of its owner or another person acting on behalf of the owner and, in the case of a hen, means being outside of a coop or run;
- (b) "Coop" means a fully enclosed weatherproof building where hens are kept and which the interior of includes nest boxes for egg laying, perches for the hens to sleep on and food and water containers;
- (c) "Hen" means a domesticated female chicken that is at least four months old;
- (d) "Hen Run" means a covered secure enclosure that allows hens' access to the outdoors;
- (e) "Herding Dog" means a dog that has been trained to and is actively being used in a bona fide farming operation for the purposes of controlling livestock on the farm;
- (f) "Livestock Guardian Animal" means an animal that works and/or lives with domestic farm animals (eg. Cattle, sheep, poultry) to protect them while repelling predators and is used exclusively for that purpose.

2. Section 4(a), REGISTRATION AND LICENSING will be amended to read;

4(a) Every owner of a dog shall pay the license fee prescribed in the Town's Rates

and Fees By-law.

3. Section 6.1, PROHIBITED ANIMALS will be amended to read:

6(1)(e) No person shall keep, or cause to be kept, a horse, donkey, pony, mule, cow or steer, goat, swine, sheep, duck, or goose within the Town of Halton Hills except on land zoned and lawfully used for agricultural purposes pursuant to any restricted area by-law enacted under Section 34 of the Planning Act, R.S.O. 1990 Chap.P.13, as amended.

4. Section 7(d)(ii), ANIMAL CONTROL will be amended to read;

7(d)(ii) upon payment of the redemption fees as set out in the Town's Rates and Fees By-law.

5. Schedule "B" Section 1, DOG LICENCES will be amended to read:

1. The licence fee as set out in the Town's Rates and Fees By-law shall be determined for the following licences:

- (a) Annual Licence
- (b) Extended 2 – Year Licence
- (c) Extended 3 – Year Licence

2. REPLACEMENT TAGS

As set out in the Town's Rates and Fees By-law.

6. Schedule "C" will be amended to read:

1. REDEMPTION FEES PAYABLE TO THE TOWN'S CONTRACTED ANIMAL SERVICE

(a) Where a dog has been caught running at large the redemption fee shall be as set out in the Town's Rates and Fees By-law.

7. Schedule "F" will be added to read:

SCHEDULE "F" TO BY-LAW 94-077

Regulations for the keeping of Hens

**Keeping of Hens**

1. Every owner of hens shall keep them in accordance with the following requirements:
  - a. a maximum of 4 hens shall be permitted to be kept per lot;
  - b. all hens shall be a minimum of 4 months old;
  - c. hens shall be kept in a hen coop or hen run at all times; and
  - d. subject to the exception that hens shall be kept in a locked hen coop from 9:00 p.m. to 6:00 a.m., hens shall have access to a hen run at all times.

2. Every owner who keeps both hens and pigeons on a single lot shall ensure that they are kept in separate enclosures and no other type of animal shall be permitted to be kept within a pigeon loft, hen coop or hen run.
3. Every owner must ensure that their hens shall be:
  - a. provided with adequate access to food and clean water;
  - b. kept in a clean and healthy condition free from disease and, where necessary, shall be provided with veterinary care; and
  - c. provided with appropriate space and environmental conditions conducive to good health, including but not limited to, the opportunity to socialize and engage in fundamental behaviours such as scratching, roosting and dust bathing.
4. Every hen owner shall:
  - a. reside on the lot where such animals are kept; and
  - b. ensure that their hens are kept in a manner to not cause a nuisance to any adjacent neighbour.
  - c. within seven (7) days following the date a hen comes into his/her possession, shall be licensed and registered with the Town.
  - d. The license fee shall be as set out in the Town's Rates and Fees By-law.

#### **Hen Coop and Hen Run Requirements**

5. No person shall permit more than 1 hen coop and 1 hen run per lot.
6. Every owner shall ensure that any hen coop or hen run provided for their animals shall comply with the following size requirements as applicable:
  - a. every combination of hen coop and hen run shall be less than 10 square metres in size;
  - b. a minimum of 0.37 square metres per hen is required for the floor area of a hen coop along with a minimum of 0.93 square metres ground area per hen for a hen run;
  - c. no hen coop or hen run shall exceed 2 metres in height as measured from the highest point of the structure and the ground directly below such point.
7. Every owner shall ensure that any hen coop and hen run and all associated feed and manure storage in respect of their hens shall be:
  - a. located in a rear yard only;
  - b. set back at least 2 metres from any lot line;
  - c. a minimum distance of 3 metres from any dwelling on an adjacent lot; and
  - d. at least 15 metres from any lot on which a church, business or school is located.
8. Every owner shall ensure that any hen coop or hen run provided for their animals shall be constructed to:

- a. be completely enclosed so as to prevent the escape of any hen therein;
  - b. have adequate ventilation, provide protection from weather, exclude rodents and include a lock to be secured against the entry of predators; and
  - c. include food and water containers.
9. Every owner shall ensure that any hen coop provided for their hen shall include at least 1 nest box for egg laying, 1 perch providing 20 centimetres of space per hen and every hen run shall have a floor comprised of any combination of vegetated or bare earth.
10. Every hen owner shall ensure appropriate maintenance in accordance with the subsequent provisions:
- a. food and water containers shall be cleaned regularly and disinfected;
  - b. hen coops and pigeon lofts, including perches and nest boxes as applicable, shall be cleaned regularly and disinfected a minimum of 2 times annually;
  - c. food shall be stored in rodent proof containers and secured at all times to prevent rodents or other animals from accessing it and leftover food shall be removed in a timely manner;
  - d. manure and droppings shall be removed in a timely manner, stored manure shall be kept in an enclosed structure that prevents any odour and no more than .085 cubic metres shall be stored at any time; and
  - e. hen coops and hen runs shall be maintained in good repair and in a clean and sanitary condition, being kept free of obnoxious odours or substances and vermin.

### **Prohibitions**

11. No person shall keep or allow the keeping of hens without first obtaining a license from the Town.
- a. Notwithstanding Section 1 of schedule F, no person shall cause or permit the keeping of hens on a multiple residential zoned lot.
  - b. No person shall cause or permit the keeping of any rooster on a residentially zoned lot.
  - c. No person shall cause or permit the sale of eggs, manure or any other products derived from the keeping of hens on a residentially zoned lot.
  - d. No person shall cause or permit the slaughter or euthanizing of a hen on any residentially zoned lot, and any deceased hen shall be disposed of through the services of a veterinarian or a licensed deadstock operator.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this 6<sup>th</sup> day of September, 2022.

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MAYOR – RICK BONNETTE

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