

COMMUNICATION 132036

Received From: Pascal Meunier, Director of Protective Services
Addressed To: Committee of the Whole
Date: March 9, 2021
Topic: Backyard Hens By-law

SUMMARY

At the Committee of the Whole meeting on November 24, 2020, Council directed staff to bring forward a by-Law to regulate the keeping of backyard hens.

BACKGROUND

Recently, staff and Council have received information from a resident who has domestic hens and has received interest from others in keeping domestic hens on their own properties within the Town. Residents in urban settings wish to raise hens for a variety of reasons including but not limited to:

1. Educational tools;
2. Self-sustaining food production (eggs, as generally meat chickens are not permitted in urban areas);
3. Pest and weed control (notably ticks);
4. Domestic pets, companions and therapy animals.

Municipal Law Enforcement Services (MLES) is contracted by the Town of Carleton Place to enforce the Town's Animal Control By-law on a complaint driven basis. MLES has had a few complaints about hens over the years in the Town, as they have had in many of the other neighboring municipalities they serve.

DISCUSSION

Staff undertook a review of other municipal backyard hens by-laws to establish a benchmark for best practices in this area.

Staff noted a number of common provisions in other municipalities' by-laws and pilot project information that has been adopted for inclusion in this by-law as follows:

- restrictions regarding size of lot, size of pen and coop, and setback distances;
- the keeping of roosters is not permitted;
- the hens must be a minimum of four (4) months old (to ensure gender of chicken is known);
- hens are not permitted to roam at large and must be secured in their pens between 9:00 p.m. and 6:00 a.m.;
- no person may keep more than six (6) backyard hens on a residential property; and
- a license must be obtained annually from the Clerk which would cost \$100 including HST (2021 rates), which will be amended from time to time during the annual review of the Town's Fees and Charges By-law.

If Council supports the passing of the Backyard Hens By-law, this will also trigger changes that would have to be made to the current Animal Control By-law 122-2018

which currently prohibits the keeping of certain animals including backyard hens. The following summarizes the proposed changes that would be required to the Animal Control By-law:

Section 1 - Definitions

1. the word “Hen” has been added and defined
2. the word “chicken” was removed under the “Domestic Fowl” definitions.

Section 4- The Keeping of Other Animals

The keeping of backyard hens was added to permit residents to keep backyard hens providing the resident adheres to the most current Backyard Hens By-Law.

It has been the Town’s practice to have all fees located in the Fees and Charges By-law 114-2020 as opposed to having them in each individual by-law. It is therefore recommended that the proposed \$100.00 license fee referred to in Clause 8.3 of the draft Backyard Hens By-law be set in the Fees and Charges By-law 114-2020 by way of a by-law amendment.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this information report. Municipal Law Enforcement Services (MLES) is contracted by the Town of Carleton Place to enforce the Animal Control By-law on a complaint driven basis. MLES has had a few complaints about hens over the years in the Town of Carleton Place, as they have had in many of the other neighboring municipalities they serve. If an increase of complaints arises from allowing the backyard hens, the Town may see an increase in contract fees.

STAFF RECOMMENDATION

THAT Council approves the Backyard Hens By-law and the amendments to the Animal Control By-law 122-2018 and the Fees and Charges By-law 114-2020 as outlined in the report prepared by the Director of Protective Services dated March 9, 2021.