

*This By-law does not reference the NEP area, however, this By-law can be applied in the NEP area even though Development Control is in effect.*

## THE CORPORATION OF THE TOWNSHIP OF MULMUR

### BY-LAW NO. 19 – 18

A by-law to provide for the keeping and control of backyard chickens within the Township of Mulmur

#### **(Backyard Chickens By-law)**

**WHEREAS** Section 8 through 11 of the *Municipal Act*, S.O. 2001, c. 25, as amended, confers broad authority on a Township to govern its affairs as it considers appropriate and to pass by-laws to regulate or prohibit matters within its jurisdiction;

**WHEREAS** the Municipal Act, R.S.O. 2001, Sections 128 provides that by-laws may be passed by Councils of local municipalities to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause a public nuisance and further, that by-laws may be passed for purposes related to the health, safety and well-being of the inhabitants of the municipality;

**AND WHEREAS** the Council of the Township of Mulmur deems it desirable to pass such a by-law to regulate the keeping of certain kinds of animals within residential areas within the Township;

**NOW THEREFORE** the Council of the Corporation of the Township of Mulmur enacts the following:

#### **1. DEFINITIONS**

**BACKYARD CHICKEN** means the accessory keeping of a maximum of four (4) hens for the purposes of companionship as a pet or for providing food for personal consumption of occupants of the dwelling on the same lot; and does not include farm, or agricultural uses otherwise defined by the Township of Mulmur's Zoning By-law

**COOP** means a fully enclosed weatherproof building where hens are kept and which the interior includes nest boxes for egg laying, perches for the hens to sleep on and food and water containers

**HEN** means a domesticated female chicken that is at least four (4) months old

**RUN** means a covered secure enclosure that allows hens access to the outdoors

**RUNNING AT LARGE** means to be found at any place other than the property of the owner of the chicken

#### **2. GENERAL PROVISIONS**

Where permitted by the Township's Comprehensive Zoning By-law, as amended, a person may keep hens, in accordance with the following additional provisions:

- 2.1 A person may keep up to four (4) hens at a property, unless explicitly provided for in the Comprehensive Zoning By-law
- 2.2 The keeping of roosters is prohibited;
- 2.3 Every owner of hens and every property owner on which hens are kept shall ensure the hens are housed in a coop that is constructed and maintained to provide protection from weather and be adequately ventilated; to exclude rodents and predators and that all coops and runs are maintained in clean conditions and kept free of obnoxious odours, substances and vermin.
- 2.4 Every owner of hens and every property owner on which hens are kept shall ensure the coops have a chicken box sufficient to accommodate all chickens and a perch area sufficient to accommodate all chickens; that feeders and water containers are provided and cleaned regularly; and that all chickens have access to an enclosed outdoor run and an accessible dust bath area.
- 2.5 All stored feed is to be kept in rodent proof containers and secured at all times to prevent rodents and other animals from accessing it.
- 2.6 Every owner of hens and every property on which hens are kept shall ensure chickens are kept in their coops from 9 p.m. to 6 a.m. No owner shall allow or permit his or her chickens to be running at large.
- 2.7 There is no sale of eggs, manure or other products associated with the keeping of chickens.
- 2.8 There is no slaughtering or butchering of chickens on the property. Deceased hens are to be disposed of at a livestock disposal facility, through the services of a veterinarian, chicken exchange program, or through a facility as approved by the Ministry of Agricultural, Food and Rural Affairs and are to be disposed of in accordance with all laws.
- 2.9 Chickens are to be kept in accordance with all other laws including Township by-laws respecting noise, property maintenance standards, as well as provincial legislation with regards to the keeping of animals.

### **3. OFFENCE AND ENFORCEMENT**

- 3.1 Enforcement is on the basis of compliance with fines for non-compliance.
- 3.2 Every person who contravenes any provision of this By-law is guilty of an offence, and may pay a penalty of:
  - a) With respect to the first contravention a penalty of \$250.00
  - b) With respect to a second contravention a penalty of \$500.00
  - c) With respect to a third contravention a penalty of \$750.00 and immediate removal of the backyard chickens.

This By-law comes into force on the date of final reading and passage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED on this  
6 day of June, 2018.

*Paul Mills*  
.....  
MAYOR.

*Terry Horner*  
.....  
CLERK.