

The Corporation of the Township of Perth East

By-Law 24-2025

Being a By-law to implement a two (2) year pilot program to regulate and licence the keeping of Backyard Chickens within the Township of Perth East

May 21, 2025

Whereas Section 5(3) of the Municipal Act, 2001, S.O. 2002, c.25, as amended, provides that powers of every Council are to be exercised by by-law unless specifically authorized to do otherwise;

And Whereas Section 8(3) of the Municipal Act, 2001 provides municipalities with the broad authority to govern affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And Whereas Sections 11(1) and (2) of the Municipal Act, 2001, provides that a lower- tier municipality may provide any services or thing that the Municipality considers necessary or desirable for the public in respect to the economic, social and environmental well-being of the municipality and the health, safety and well-being of persons;

And Whereas Section 11(3) of the Municipal Act, 2001, provides that a lower-tier municipality may pass by-laws respecting matters within the following spheres of jurisdiction: animals;

And Whereas the Council of the Corporation of the Township of Perth East directed staff to undertake a limited Backyard Chicken pilot program for a two year period through preparation of a licensing by-law for up to twenty (20) properties;

And Whereas the Council of the Corporation of the Township of Perth East deems it expedient, necessary and in the public interest to regulate the keeping of backyard chickens for the purpose of public health and safety.

Now therefore the Council of the Corporation of the Township of Perth East hereby enacts as follows:

1. Definitions

“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.

“Clerk” means the Clerk of the Corporation of the Township of Perth East or their designate.

“Coop” means a fully enclosed weatherproof and ventilated 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.

“Council” means the Council of the Corporation of the Township of Perth East.

“Dwelling” means one or more rooms in a building, designed as, or intended as, or capable of being used or occupied as a single independent housekeeping unit and containing living, sleeping, sanitary and food preparation facilities or facilities for the installation of kitchen equipment and has an independent entrance. For the purpose of this By-law, a dwelling unit does not include any commercial accommodation or a recreational trailer.

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

“Licence” means a licence issued under this By-law.

“Officer” means a Police Officer or an Animal Control Officer, a By-law Enforcement / Municipal Law Enforcement Officer for the Township of Perth East, or anyone working under his/her authority.

“Outdoor Run” means an area enclosed by wire screen intended for permitting a hen or hens to be outdoors.

“Property” means a parcel of land and any buildings or other structures on the land.

“Property Owner” means the registered owner(s) of a property within the Township of Perth East.

“Slaughtering” means the killing of livestock for purposes that include the use of meat for food.

“Tenant” means a person who rents or leases a dwelling from a landlord.

“Township” means the Corporation of the Township of Perth East.

2. Administration

- 2.1 The provisions of this By-law shall apply to the keeping of Backyard Chickens. The Corporation of the Township of Perth East is responsible for the administration and enforcement of this by-law.
- 2.2 Licences will not be valid past June 30, 2027 ending the two (2) year pilot program, unless Council of the Township of Perth East permits backyard chickens beyond the completion of the pilot program.
- 2.3 Every person shall obtain a license from the Township prior to obtaining chickens with a one-time administrative fee of \$75.00.
- 2.4 The Owner and/or applicant understands and agrees that upon notice, the Township may revoke the licence/permission to keep hens at anytime, and the keeping of hens after this date is an offence under the by-law as set out in Schedule “A”.

3. Application for Backyard Chicken Licence

- 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 Township of Perth East.
- 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:
 - I. Applicant information including name, address (mailing and physical), postal code, and telephone number and/or email address;
 - II. Property Owner’s information including name, address (mailing and physical), postal code, and telephone number and/or email address;
 - III. Site sketch/layout illustrating the location and size of the coop and manure storage area on the property, complying with the coop regulations set out in the By-law;
 - IV. Checklist of specific regulations contained in the By-law confirmed by the applicant;
 - V. A signed declaration;

- 3.4 Tenants must obtain written permission from the property owner to keep backyard chickens on the owner's property.
- 3.5 A change in occupancy or ownership of the property shall make the Backyard Chicken Licence null and void. The new occupant and/or owner shall submit a new initial application.

4. General

- 4.1 Every application for a licence will be reviewed to determine whether it meets the requirements of this By-law.
- 4.2 If it is determined that an application meets the requirements of this By-law, the Township will issue the licence once the licence fee has been paid in accordance with the fees as set out in this By-law.
- 4.3 If it is determined that an application does not meet the requirements of this By-law, the Township will refuse to issue the licence and will refund the licence fee.
- 4.4 If at any time the Township determines, as a result of evidence that is provided, that the operation of a backyard chicken/hen coop does not conform to the requirements of this By-law, it may suspend or revoke the licence.
- 4.5 In the event of any changes to the conditions to which the licence approval was based on, the applicant shall notify the Township immediately of the changes and may be required to submit additional information, including but not limited to a new site sketch/layout of the coop location.
- 4.6 As outlined in section 2.2 of this By-law, licences will not be issued past June 30, 2027 ending the two (2) year pilot program, unless Council of the Township of Perth East permits backyard chickens beyond the completion of the pilot program.

5. Backyard Chickens/Hen Regulations

- 5.1 Licensee's shall be permitted a maximum of four (4) backyard chickens/hens on the licensed property.
- 5.2 The keeping of roosters is strictly prohibited, no licensee shall permit the keeping of a rooster on their property,.
- 5.3 All deceased backyard chickens/hens shall be disposed of promptly in a sanitary manner.
- 5.4 The slaughtering of backyard chickens/hens on the property is prohibited, no person shall permit the slaughtering of backyard chickens/hens on their property.
- 5.5 The selling of eggs, manure, meat or other products derived from backyard chickens/hens is prohibited, no person shall sell eggs, manure, meat or other products derived from their backyard chickens/hens.
- 5.6 Permitting chickens to run at large is prohibited, no person shall permit chickens to run at large

6. Backyard Chicken/Hen Coop Regulation

- 6.1 Every licensee shall comply with the following setback regulations:
 - i. 1.2m from rear lot line
 - ii. 2.5m from a side lot line

- iii. 2.5m from a rear lot line abutting a side yard
- iv. Chicken coops are not permitted in a front yard
- v. No more than one chicken coop and one chicken run are permitted on a single licensed property.
- vi. Existing sheds/garages can be used for the hen house, only the portion actually used to house hens shall be required to meet the setback requirements.
- vii. Runs and exterior portions of the coop shall meet the setback regulations
- viii. Multi-residential properties such as apartments shall not be permitted to have chickens
- ix. If the 2.5m setback (under provisions 6.1.ii and iii) cannot be achieved, written permission shall be supplied to an Officer by all owners and all adult occupants of the adjoining property, the placement of the coop shall be permitted based on written consent.
- x. An owner or adult occupant of an adjoining property may withdraw consent to the placement of a hen coop or run that is closer to their property than the required 2.5m setback, if they notify the Township in writing. The owner shall remove or relocate the coop within a permitted area by the later of November 1 of that calendar year or six (6) months following the date of notification being given, whichever comes earlier in the calendar year.

7. Coop regulations and sanitation:

7.1 Every licensee shall comply with the following coop structure conditions:

- i. The coop shall provide protection from weather and be adequately ventilated.
- ii. The enclosed coop and run shall be constructed and maintained in a manner to exclude rodents and predators from entry.
- iii. When chicken wire is used as part of or all of the run enclosure, the openings of the chicken wire shall not be larger than a half inch.
- iv. The chicken wire shall also be buried into the ground surrounding the coop/run at a minimum of 6 inches to help prevent rodents from burrowing into the run area.

7.2 Every licensee shall comply with the following interior coop conditions:

- i. The floor shall be constructed of a material that is resistant to moisture, mould, retain heat in the cold weather and exclude rodents and predators.
- ii. The floors shall be lined with shavings, straw or other appropriate materials to absorb manure and facilitate cleaning.
- iii. Chicken boxes and a perch shall be provided to accommodate all hens.
 - i. Dust bath area shall be provided (helps control mites).

7.3 Every licensee shall comply with the following cleaning requirements:

- i. The coop shall be maintained in a clean condition and shall be kept free of odours.
- ii. The coop shall be deep cleaned 2- 3 times a year which includes disinfecting of troughs, perches and nests.
- iii. Stored manure shall be kept in an enclosed structure or container such as a compost bin, stored no less than one (1) metre from any adjoining property line and no more than three (3) cubic feet shall be stored at any one time. All other manure not used for composting or fertilizing shall be removed.

7.4 Every licensee shall comply with the following food and water requirements:

- i. Feeders and water containers shall be provided, cleaned regularly and disinfected.
- ii. Feed shall be stored in rodent proof containers and secured at all times to prevent rodents and other animals from accessing it.

7.5 Deceased chickens:

Deceased chickens shall be disposed of at a livestock disposal facility or through the services of a veterinarian, or through a facility as approved by the Ministry of Agriculture, Food and Agribusiness.

8. Right of Entry

8.1 Every person who holds a Backyard Chicken licence shall allow, at any reasonable time, an Officer or other authorized employee or agent of the Township 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. No person shall obstruct or hinder or attempt to obstruct or hinder an Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this By-law.

9. Offence and Penalty Provisions

9.1 Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended* and to any other applicable penalties.

9.2 Every owner of a hen who contravenes any provision of this by-law or whose hen contravenes any provision of this By-law is guilty of an offence and, upon conviction, is liable to a penalty as provided for in the Provincial Offences Act and to any other applicable penalties.

9.3 If this By-law is contravened and a conviction entered, the court in which the conviction was entered or any Court of competent jurisdiction may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

10. Severability

10.1 It is hereby declared that notwithstanding any section, subsections, clause, paragraph or provision of the By-law or parts thereof, may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, such section or section or parts thereof shall be deemed to be severable and shall not affect the validity or enforceability of any other provisions of the By-law as a whole or part thereof and all other sections of the By-law shall be deemed to be separate and independent

therefrom and enacted as such.

- 10.2 Whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

11. Force and Effect

- 11.1 This By-law shall take force and effect upon final passage hereof.
- 11.2 The Backyard Chickens pilot program is for a period of two (2) years, commencing July 1, 2025 and ending on June 30, 2027. If the pilot program is not continued beyond July 1, 2027, the property owner and/or applicant agrees to take all necessary steps to remove the hens from their property in the Township of Perth East by June 30, 2027.

Read a first and second time this 21st day of May, 2025.

Read a third and final time this 21st day of May, 2025.

Original signed by: _____

Ashley Carter, Municipal Clerk

Original signed by: _____

Rhonda Ehgoetz, Mayor

The Township of Perth East
Backyard Chickens Licensing

By-law 24-2025

To regulate and licence the keeping of Backyard Chickens within the Township of Perth East

Schedule "A"

Part I Provincial Offences Act

Item	Short Form Wording	Provisions Creating or Defining Offence	Set Fine
1	Fail to obtain licence	s. 2.3	\$205.00
2	Possess more than four (4) chickens	s. 5.1	\$205.00
3	Possess a rooster	s. 5.2	\$205.00
4	Permit slaughtering of chickens on property	s. 5.4	\$305.00
5	Permit the sale of products derived from chickens	s. 5.5	\$205.00
6	Permit chickens to run at large	s. 5.6	\$205.00
7	Fail to comply with coop location setbacks	s. 6.1	\$205.00
8	Permit more than one (1) coop or outdoor run on property	s. 6.1	\$205.00
9	Fail to maintain sanitary conditions	s. 7.3	\$305.00
10	Fail to comply with coop regulations	s. 7.	\$205.00
11	Hinder or obstruct the Township, its employees, officers or agents	s. 8.1	\$400.00

NOTE: The penalty provision for the offences indicated above is Section 9.1 of By-law 24-2025, a certified copy of which has been filed