

**THE CITY OF CORNER BROOK
URBAN HEN REGULATIONS**

PURSUANT to the powers vested in it under Sections 263, 280.1, 280.2 and 280.4 of the *City of Corner Brook Act*, R.S.N.L. 1990, c. C-15, as amended, and all other powers it enabling, the Corner Brook City Council, in a session convened on the _____, hereby passes and enacts the following regulations

1. These Regulations may be cited as the *City of Corner Brook Urban Hen Regulations*.

2. For the purpose of these Regulations:

- (a) "at large" means, in the case of a hen being outside a coop or hen run;
- (b) "City" means the City of Corner Brook;
- (c) "Coop" means a fully enclosed weatherproof building in which hens are kept and which the interior thereof includes nest boxes for egg laying, perches for the hens to sleep on and food and water containers;
- (d) "Council" means the Corner Brook City Council;
- (e) "Hen" means a domesticated female chicken that is at least four months old;
- (f) "Hen Run" means a covered secure enclosure that allows hens' access to outdoors;
- (g) "Impounder" means the person or persons appointed and authorized by Council to impound animals pursuant to the City of Corner Brook Act and these Regulations and to carry out such other acts as are prescribed by these Regulations, and includes any person designated as an animal control officer;
- (h) "Inspector" means any Impounder and any Municipal Enforcement Officer appointed pursuant to s.211 of the *City of Corner Brook Act*, or any person appointed by Council to act as an Inspector under these Regulations;
- (i) "Occupant" of any property means a person who
 - (i) owns the property;
 - (ii) resides at the property;
 - (iii) conducts business at the property;
 - (iv) is in physical possession of the property; or

(v) has responsibility for, and control over, the condition of the property, the activities conducted on the property and the persons allowed to enter the property;

For purposes of these Regulations there may be more than one occupant of the same property;

(j) "Owner" includes any person who possesses, harbours or keeps a hen and, where an owner is a minor, includes the person who is responsible for the custody of the minor.

GENERAL PROHIBITIONS

3. No Occupant of a property or Owner in the City shall keep or allow any Hen on any property within the City without a permit issued by Council.
4. No Occupant of a property or Owner in the City shall keep or allow any Hen in the City except in the manner as provided in these Regulations and except in accordance with any conditions prescribed on a permit issued to the Occupant or Owner for the keeping of a Hen.
5. No Occupant or Owner shall keep any roosters.
6. No Occupant or Owner shall keep any female chickens that are younger than four (4) months old.
7. No Occupant or Owner shall keep more than four (4) Hens on a Property within the City.
8. No Occupant or Owner shall keep or allow a Hen to be kept on any property within the City unless the Occupant or Owner resides on that property.

PERMITS

9. No Occupant or Owner shall keep a Hen in the City unless:
 - (i) a permit fee has been paid to the City and a permit has been issued by Council for the keeping of Hens on the property on which the Hen is to be kept;
 - (ii) a license fee has been paid to the City and a license has been issued by Council for each Hen; and
 - (iii) the permit and license are still in force for the current year.

10. Every permit and license issued pursuant to these Regulations shall expire on the 31st day of December next after the date of issuance and shall be non-transferrable between property owners and hens and is non-refundable.
11. The permit and license fees shall be prescribed by Council each year in its annual budget and shall not be reduced or remitted for any cause including the death, loss of or removal of a Hen from or by the City after the date of issuance.
12. Upon payment of the permit fee by the Owner or Occupant, the City shall issue a permit which the Owner or Occupant shall visibly display on the Coop or Hen Run.

CONTROL OF ANIMALS

14. No Occupant or Owner shall permit or allow a Hen to stray or be at large.
15. Hens must be kept in a Coop between the hours of 9:00 p.m. and 6:00 a.m.
16. Hens must be kept in a Hen Run when not in their Coop.

PERMISSION TO CARRY ON BUSINESS

17. No person shall establish or carry on any business or institution for the boarding, keeping, or treating of Hens or sale of eggs, manure, or other products associated with the keeping of Hens without written permission of Council to carry out such business or institution.

COOPS & HEN RUNS

18. Coops and Hen Runs shall not be placed in any front yard or side yard.
19. Coops and Hen Runs shall not be placed a distance of less than one (1) metre from the rear or side property boundary lines.
20. Coops and Hen Runs shall not be placed in a front yard or within seven (7) metres of a front property boundary line or street reservation.
21. Coops and Hen Runs shall not be placed within three (3) metres of any window or door of a residential dwelling located on a neighboring property.
22. Coops and Hen Runs shall not be placed on any easements or right of ways.

23. The combination of Coops and Hen Runs on a property shall not be any smaller than four (4) square metres nor any greater than ten (10) square metres.

SANITATION

24. No person shall keep a Hen that, in the opinion of the Impounder, is exhibiting behavior or symptoms of illness that threaten the health and/or safety of persons or animals.
25. Hen Runs and Coops shall be maintained in a clean condition, free of noxious odours, substances and vermin.
26. Hen excrement shall be contained and disposed of in compliance with the *City of Corner Brook Anti Litter Regulations* and the *City of Corner Brook Garbage and Refuse Regulations* and any similar or successor Regulations.
27. Hens shall not be slaughtered on any property within the City that has not been zoned by the City for agricultural use.
28. Hens shall be provided with clean, fresh drinking water, nesting materials and food of sufficient quantity and quality so as to allow for normal, healthy growth and the maintenance of normal, healthy body weight.
29. Food and water for Hens shall be kept in receptacles that avoid contamination by excreta.
30. Hens shall be either destroyed or provided veterinary care when ill.
31. Coops and Hen Runs shall be cleaned, including removal of excrement, on a daily basis.
32. No Owner or Occupier shall allow a Hen to be kept in an unsanitary condition. Conditions shall be considered unsanitary where, in the opinion of the Impounder, the keeping of the Hen results in an accumulation of fecal matter, an odor, insect infestation or rodent attractants which endanger the health of the Hen or any animal or person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any person in or about their dwelling or property.
33. Where there is a conflict between the standards set out in these Regulations and the *Animal Health and Protection Act, SNL 2010, c. A-9.1* and any regulations enacted thereunder, the *Occupancy and Maintenance Regulations (Newfoundland and Labrador Regulation 1021/96)*, or any other applicable legislation, the highest standard for protection of the health and well-being of hens and for the use and enjoyment of persons property shall prevail.

IMPOUND OF HENS

34. The Impounder may impound any Hen that is;
- a. at large;
 - b. ill;
 - c. mistreated;
 - d. kept, housed, or maintained in a manner that is unsanitary; or
 - e. is otherwise not in compliance with any of the standards set out in these Regulations.
35. The Impounder may release a Hen seized by the Impounder to the Owner or Occupant upon payment by the Owner or Occupant of impound fees, which impound fees shall be at the rates set by Council in its annual budget along with any additional expenses incurred by the City in relation to the impounding of the Hen.
36. If a Hen that has been impounded by the Impounder is not claimed by, and released to the Owner or Occupant upon the payment of the fees and expenses payable pursuant to these Regulations within twenty four (24) hours of impounding, the Impounder may sell, give away, place for adoption, or otherwise dispose of, destroy or slaughter the Hen.
37. (a) In the event that a Hen that had been impounded is injured, sick or otherwise in need of medical attention the Impounder may arrange basic medical treatment necessary to minimize the pain and distress of the Hen or immediately sell, give away, dispose of, destroy or slaughter the Hen.
- (b) The cost of any medical treatment administered to a Hen and any impound fees and expenses pursuant to these Regulations are recoverable from the Owner and/or Occupant jointly and severally as a civil debt owing to the City within thirty (30) days of an invoice for same having been issued by the City and may be recovered from the Owner and/or Occupier even if the Owner and/or Occupier does not claim the Hen.

ENFORCEMENT

38. Where any person contravenes any provision of these Regulations:
- i) such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment in accordance with the *City of Corner Brook Act*; and
 - (ii) such person may be issued a violation notice pursuant to section 280.1 of the *City of Corner Brook Act*.

39. The Impounder and all Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the *City of Corner Brook Act* for any contravention or failure to comply with these Regulations.

IN FORCE

40. These Regulations shall come into force as of the date enacted by Council.

DRAFT