

**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 10<sup>th</sup> day of April 2017, 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 of wire mesh with holes that are no greater than one quarter of an inch (1/4") in diameter that allows hens' access to outdoors and protects hens from predators;
- (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 Development Inspector, Impounder, or Municipal Enforcement Officer 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 and the Hen bears a numbered tag issued by Council indicating that such license is in force for the current year.

10. Every permit and license issued pursuant to these Regulations shall expire on the 31<sup>st</sup> 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 completion of the City's prescribed application form and payment of the permit fee by the Owner or Occupant, the City shall:
  - a) provide written notice to all adjacent property owners allowing at least ten (10) days for adjacent property owners to advise the City of any objections they may have to issuance of a permit to keep hens on the Applicant's property;
  - b) inspect the Property to ensure it is possible to keep hens in a manner that complies with these Regulations; and
  - c) consider any issues of public health, safety and convenience or other concerns raised by the Inspector or by owners of adjacent properties.

After considering the above, the City shall decide whether to allow the keeping of hens on the Applicant's property and if the decision is in favour of the Applicant, the City shall then issue a permit for the keeping of hens on the property.

13. If a permit is issued, the Owner or Occupant may then complete construction of a Coop and Hen Run and shall keep the permit visibly displayed on the Coop or Hen Run.
14. Upon completion of construction of the Coop and Hen Run, and prior to keeping any hens on the property, the Owner and/or Occupant shall contact the City for an inspection. The Inspector shall inspect the Coop and Hen Run and provided the Inspector finds that the structures are in compliance with these Regulations, the Owner and/or Occupant shall make payment of the license fee and the City shall issue a numbered bird tag for the current year for each Hen registered and the Owner or Occupant shall display the tag by attaching it to a leg of the Hen and may then keep the licensed hens on the property.
15. It is a deemed condition of all permits and licenses that the Owner and/or Occupier must comply with all Regulations and must allow access by the Inspector to the Coop and Hen Run at all reasonable times to assess compliance with these Regulations. Failure to comply with these Regulations or to co-operate with an Inspector may result in immediate revocation of permits and licenses issued under these Regulations.

#### **CONTROL OF ANIMALS**

16. No Occupant or Owner shall permit or allow a Hen to stray or be at large.
17. Hens must be kept in a Coop between the hours of 9:00 p.m. and 6:00 a.m.

18. Hens must be kept in a Hen Run when not in their Coop.

#### **PERMISSION TO CARRY ON BUSINESS**

19. 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**

20. Coops and Hen Runs shall not be placed in any front yard or side yard.
21. Coops and Hen Runs shall not be placed a distance of less than one (1) metre from the rear or side property boundary lines.
22. 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.
23. 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.
24. Coops and Hen Runs shall not be placed on any easements or right of ways.
25. 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**

26. 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.
27. Hen Runs and Coops shall be maintained in a clean condition, free of noxious odours, substances and vermin.
28. 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.
29. Hens shall not be slaughtered on any property within the City that has not been zoned by the City for agricultural use.

30. 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.
31. Food and water for Hens shall be kept in receptacles that avoid contamination by excreta.
32. Hens shall be either destroyed or provided veterinary care when ill.
33. Coops and Hen Runs shall be cleaned, including removal of excrement, on a daily basis.
34. 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.
35. 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**

36. 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.
37. 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.
38. 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.

39. (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

40. 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*.

41. 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

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

**IN WITNESS WHEREOF** these Regulations are sealed with the Common Seal of the City of Corner Brook and subscribed by and on behalf of the Council by Mayor and City Clerk at the City of Corner Brook, in the Province of Newfoundland and Labrador, this 17<sup>th</sup> day of April, A.D., 2017.

[Redacted signature]

Mayor

[Redacted signature]

Asst. City Clerk



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