

# The Corporation of the District of North Vancouver

## Bylaw 8211

A bylaw to regulate the keeping of domestic *hens*

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The Council for The Corporation of the District of North Vancouver enacts as follows:

### 1. Citation

This bylaw may be cited as “Keeping of Domestic *Hens* Bylaw 8211, 2016”.

### 2. Definitions

In this bylaw, unless the context otherwise requires:

- a) “*chicken*” means a domesticated *chicken*;
- b) “*coop*” means that part of an *enclosure* that is constructed of solid walls on all sides and covered with a solid roof, with a wood or concrete floor;
- c) “*enclosure*” means an enclosed structure designed for the keeping of *chickens*, and consists of a *run* and a *coop*;
- d) “*hen*” means a female *chicken*;
- e) “*rooster*” means a male *chicken*; and
- f) “*run*” means the outdoor part of an *enclosure* that is fully enclosed by wire or mesh on all sides and covered with a solid roof.

### 3. Applicability

The keeping of *hens* is permitted on properties located in any of the single family residential (RS) zones defined in the District of North Vancouver Zoning Bylaw 3210, subject to compliance with this Bylaw.

### 4. General Regulations

No person shall keep *hens* unless they:

- a) register the *hens* with the District of North Vancouver by filling out all fields of the *hen* registration form and submitting it with the appropriate registration fee set out in the Fees and Charges Bylaw 6481, if any, along with any additional information required by the District of North Vancouver General Manager –

Planning, Properties and Permits, or his or her designate;

- b) construct and maintain an *enclosure*, including a *coop* and a *run*, which *enclosure* shall:
- (i) be at least two metres in height;
  - (ii) be constructed only in a rear yard;
  - (iii) comply with the following property setbacks:
    - a) From a rear lot line 1.2 metres (3.9 feet) minimum
    - b) From an interior side lot line 1.5 metres (4.9 feet) minimum
    - c) From a dwelling unit 1.2 metres (3.9 feet) minimum
  - (iv) include a *coop* having:
    - A. a floor area of at least 0.4 square metres per *hen*, provided that no *coop* floor area shall exceed 5 square metres;
    - B. an inclined roof constructed of a material that does not collect and hold heat, which roof shall be covered with waterproof material (but tarps shall not be permitted);
    - C. a wooden floor at least 0.3 metres above grade, or a concrete floor;
    - D. at least one nest box; and
    - E. for each *hen*, a minimum of one perch at least 0.25 metres in length;
  - (v) include a *run* with a floor consisting of any combination of vegetated or bare earth, with at least 1 square metre of floor area per *hen*;
  - (vi) be constructed so as to prevent the escape of *hens* and access by other animals; and
  - (vii) be located in an area that provides shade, direct sunlight, good drainage, and protection from wind;
- c) maintain the *enclosure* and all parts thereof in good and sanitary condition and repair;
- d) construct and maintain the *enclosure* so as to prevent any vermin from harbouring beneath the *enclosure* or within it or its walls, and to prevent entrance

by vermin, other wildlife or pets;

- e) secure all food and water containers in a *coop*, or otherwise in a manner to prevent access by vermin, wildlife and other animals;
- f) remove leftover feed, trash, and manure in a timely manner so as to prevent obnoxious odours, attraction of pests and wildlife, or conditions that could interfere with the health or well-being of a *hen*;
- g) follow bio-security procedures recommended by the *Canadian Food Inspection Agency*;
- h) keep *hens* for personal use only, and not sell, trade or barter eggs, manure, meat, or other products derived from the *hens*;
- i) ensure that all *hens* are kept within a secure and locked *coop* from dusk until dawn or from 9:00 p.m. where dusk falls later than 9:00 p.m. and until 7:00 a.m. where dawn occurs earlier than 7:00 a.m.; and
- j) ensure that each *hen* remains at all other times in the *enclosure*.

## 5. Prohibited Uses

No person shall:

- a) keep or permit to be kept any *rooster* on property that they own or occupy;
- b) keep or permit to be kept any *chicken* younger than 4 months on property that they own or occupy;
- c) keep or permit to be kept more than 6 *hens* on any single family residential lot;
- d) keep fewer than 2 *hens*, if *hens* are kept;
- e) have or permit more than one *enclosure* per single family residential lot;
- f) keep a *chicken* in a cage, other than an *enclosure*, unless for the purpose of transport;
- g) slaughter, euthanize, or attempt to euthanize a *chicken*, provided that this will not apply to veterinary clinics or abattoirs that are legally permitted to slaughter or euthanize *chickens*;
- h) bury a *chicken*;

- i) leave a dead *chicken* for more than one day on a property that they own or occupy;
- j) dispose of a dead *chicken* except by delivering it to a farm, abattoir, veterinarian or other facility that is legally permitted and able to dispose of *chicken* carcasses;
- k) construct or permit to be constructed an *enclosure* in the front yard or side yard of a property that they own or occupy, or otherwise keep or permit to be kept any *hens* in any such front yard or side yard; or
- l) deposit manure in the municipal sewage or storm drain system, or compost manure in such a way as to allow manure to enter the municipal sewage or storm drain system.

## **6. Enforcement**

The Animal Welfare Officer, Bylaw Enforcement Officer and Medical Health Officer are authorized to enforce this Bylaw and for that purpose may enter at all reasonable times upon any property to ascertain whether or not the provision of this bylaw is being obeyed.

## **7. Obstruction**

No person shall interfere with, delay, obstruct or impede a Bylaw Enforcement Officer or other person lawfully authorized to enforce this Bylaw in the performance of duties under this Bylaw.

## **8. Seizure and Disposition**

The Animal Welfare Officer or Bylaw Enforcement Officer reserves the right (but is not in way obligated) to seize and impound any *chicken* running astray. If any impounded *chicken* is not claimed within 24 hours, the Animal Welfare Officer or Bylaw Enforcement Officer, or the designate of either of them, may donate, euthanize or otherwise dispose of the *chicken* in any manner he or she sees fit. To claim an impounded *chicken*, the owner shall pay the fees set out in the Fees and Charges Bylaw 6481.

## **9. Offence and Penalties**

Any person:

- a) who violates or fails to comply with the provisions of this bylaw, or who causes or suffers or permits any act or thing to be done in contravention of, or in violation of, any provision of this bylaw; or
- b) who neglects or refrains from acting in accordance with this bylaw and as

directed by the Animal Welfare Officer or Bylaw Enforcement Officer;

is guilty of an offence and upon conviction is liable for a fine of at least \$25 and not more than \$10,000, and for continuing offences, the fine for each day that an offence continues shall be at least \$25 and not more than \$10,000.

## 10. Designation of Bylaw

This bylaw is designated pursuant to section 264 of the *Community Charter* as a bylaw that may be enforced by means of a ticket in the form prescribed, and may be enforced by any person listed in section 6 of this bylaw.

## 11. Municipal Ticket Enforcement

The words or expressions listed below in the Designated Expression column are authorized to be used on a ticket issued pursuant to 264 of the *Community Charter* to designate a violation of the corresponding section of the bylaw appearing in the Section column. The amounts appearing in the Fine column and the Late Penalty column are the fines set pursuant to section 265 of the *Community Charter* for contravention of the corresponding section of the bylaw set out in the Section column.

Section number	Designated Expression (Short-Form Description)	MTI Fine (\$)	Late Penalty Fine (if Fine unpaid after 30 days) (\$)
4(a)	Failure to register	150	190
4(b)	Improper <i>enclosure</i>	150	190
4(c)	Failure to maintain <i>enclosure</i>	150	190
4(d)	Failure to exclude other animals	150	190
4(e)	Failure to properly secure food and water containers	150	190
4(f)	Failure to prevent obnoxious, unsafe or unhealthy conditions	150	190
4(g)	Failure to follow bio-security procedures	150	190
4(h)	Commercial use of <i>chickens</i>	150	190
4(i)	Failure to secure <i>chickens</i> in <i>coop</i>	150	190
4(j)	Failure to secure <i>chickens</i> in <i>enclosure</i>	150	190
5(a)	Keeping <i>roosters</i>	150	190
5(b)	Keeping juvenile <i>chickens</i>	150	190
5(c)	Keep more than six <i>chickens</i>	150	190
5(d)	Keep fewer than two <i>chickens</i>	150	190
5(e)	More than one <i>chicken enclosure</i>	150	190
5(f)	Keep <i>chicken</i> in cage except for transport	150	190
5(g)	Killing a <i>chicken</i>	200	250
5(h)	Burying a <i>chicken</i>	175	220
5(i)	Failure to dispose of dead <i>chicken</i> within one	150	200

	day		
5(j)	Improper disposal of dead <i>chicken</i>	200	250
5(k)	Keep <i>chickens</i> or construct <i>enclosure</i> in front yard or side yard	250	300

**READ** a first time April 10<sup>th</sup>, 2017.

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

**ADOPTED**

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Mayor

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Municipal Clerk

Certified a true copy

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Municipal Clerk