

**PROVINCE OF QUÉBEC
MUNICIPALITY OF LA PÊCHE**

BY-LAW 20-811

RESPECTING A PILOT PROJECT ALLOWING PEOPLE TO KEEP LAYING HENS

Whereas the Municipality wishes to permit the keeping of laying hens on municipal land, subject to certain conditions;

Whereas the Municipality of La Pêche would like to authorize a time-limited pilot project to permit the keeping of laying hens throughout the municipality;

Whereas this will require certain rules and conditions to minimize any inconvenience for residents in accordance with the conditions set out herein;

Whereas a notice of motion was previously given at a special meeting of Municipal Council on **May 19, 2020**, with regard to this bylaw being submitted for approval;

Whereas this bylaw in no way exempts anyone from the other provisions of other bylaws in effect;

Accordingly, it is ordered and ruled by Municipal Council of the Municipality of La Pêche, and said Council orders and rules by this bylaw as follows:

SECTION 1 – PREAMBLE

The preamble is an integral part of this bylaw.

SECTION 2 – INTERPRETATION AND APPLICATION

2.1 OBJECTIVE

The purpose of this bylaw is to authorize, in the form of a pilot project, the keeping of laying hens throughout the Municipality of La Pêche, particularly on residential properties.

2.2 DEFINITIONS

The following definitions apply herein:

Competent authority: The officer designated by resolution of Municipal Council as inspector within the Urban Planning and Environment Department or their representative as well as any individual, organization, or corporation, or employee thereof, designated to enforce this bylaw.

Cage: A screened or closed space that is not adjacent to a chicken coop and in which live animals are placed.

Chick: Chicken, newborn bird less than 6 weeks old.

Outdoor pen: A small enclosure or outdoor space adjacent to a chicken coop, surrounded by wire mesh on each side and above, in which hens can be outdoors but cannot freely leave.

Chicken coop or coop: A closed building where hens are kept.

Hen or laying hen: A female bird of the gallinaceous order, raised to produce eggs for human consumption..

SECTION 3 – ADMINISTRATIVE PROVISIONS

3.1 DURATION OF THE PILOT PROJECT

- 3.1.1 The pilot project allowing people to keep laying hens throughout the Municipality of La Pêche will be for a period of two (2) years after the entry into force of this bylaw.
- 3.1.2 The Municipality may at any time suspend the pilot project in whole or in part for a duration it determines.
- 3.1.3 In the event the pilot project is suspended permanently, any owner, tenant, or occupant of a property within the municipality who is keeping hens under this bylaw must dispose of them and dismantle the coop and pen within a maximum of 30 days following receipt of a written notice thereof from the Municipality.

SECTION 4 – SPECIFIC PROVISIONS FOR LAYING HENS

4.1 AUTHORIZATION

- 4.1.1 A minimum of three (3) hens and a maximum of five (5) hens are allowed per residential property (per assessment unit), subject to the following conditions:
 - 1) The residential assessment unit must be at least 2,000 m² in size. If the property is less than 2,000 m² in size, the owner must obtain written authorization from all owners of assessment units (vacant or not) adjacent to their property.
 - 2) A main building for single-family residential use is erected on the property. Hens may also be authorized on a vacant lot adjacent to a lot with a main residential building belonging to the same owner.

4.2 KEEPING OF HENS

- 4.2.1 Hens must be kept inside a coop or outdoor pen at all times with wire netting that prevents them from leaving freely.

The coop and pen must be installed in the backyard or side yard of the property. In addition, the coop and pen must comply with the setbacks stipulated in the zoning bylaw and must at all times comply with a fixed setback of 30 metres from any lake, watercourse, or wetland and any well.
- 4.2.2 Hens must be kept inside the coop from sunset to sunrise. Once the hens have entered the coop, it must be secured to keep predators out.
- 4.2.3 It is prohibited:
 - 1. To keep one or more hens inside a housing unit;
 - 2. To keep hens in cages;
 - 3. To install a coop and pen less than 2 metres from a lot line;
 - 4. To keep or own a rooster;
 - 5. To keep one or more chicks.

4.3 COOPS AND OUTDOOR PENS

- 4.3.1. A coop and an outdoor pen must be provided whenever hens are kept. Only one coop and one pen are authorized per residential property, subject to the following conditions:
1. The coop must be designed to provide proper ventilation and adequate living space.
 2. The coop must provide at least 0.37 m² per hen, and the outdoor pen must provide at least 0.92 m² per hen. The coop and pen must not exceed 10.0 m² each.
 3. The maximum height from the ground to the highest level of the roof of the coop or outdoor pen must not exceed 2.5 metres.
 4. Hens must be provided water inside the coop or in protected feed and water troughs that are inaccessible to predators.
 5. The coop and/or pen should be designed to provide shade in hot weather and a source of heat in winter (dry and insulated area).
 6. When the keeping of hens ceases permanently, the coop and outdoor pen must be dismantled and the premises restored within 60 days.

4.4. MAINTENANCE, HYGIENE, NUISANCES

- 4.4.1 The coop and outdoor pen must be kept clean, and droppings must be removed regularly from the coop.
- 4.4.2 Droppings must be disposed of hygienically in a garden compost bin (residential compost bin). The composting process must eliminate odours.
- 4.4.3 Cleaning water from the coop or outdoor pen must not be allowed to spill onto neighbouring property.
- 4.4.4 No odour from keeping hens should be noticeable outside the limits of the property where the birds are kept.
- 4.4.5 The hen keeper must regularly visit the coop to ensure the birds' health and well-being and make sure they have fresh water and sufficient feed.

4.5. INSPECTION

- 4.5.1 In addition to the powers and responsibilities assigned to it under the bylaw in effect in the Municipality, the competent authority may, at any time following the issuance of a certificate of authorization, verify the compliance of any property holding a certificate of authorization and report back to Municipal Council.

4.6. DISEASE AND SLAUGHTER

- 4.6.1 To avoid the risk of an epidemic, any serious illness must be reported to a veterinarian.
- 4.6.2 It is forbidden to euthanize a hen on a property where hens are kept. Hens may be slaughtered only by an approved slaughterhouse or by a veterinarian, whether or not their meat is consumed by the owner.
- 4.6.3 A dead hen must be removed from the property within 24 hours of the animal's death.

4.7. PRODUCT SALES AND POSTING

- 4.7.1 It is forbidden to sell eggs, meat, manure, or other substances from hens.
- 4.7.2 Any types of signs referring in any way whatsoever to the sale, supply, or presence of hens are prohibited.

SECTION 5 – CERTIFICATE OF AUTHORIZATION

5.1 CERTIFICATE OF AUTHORIZATION AND FEE

- 5.1.1. Any owner, tenant, or occupant of property within the Municipality who wishes to keep laying hens must first obtain a certificate of authorization from the Municipality.
- 5.1.2 The certificate of authorization is valid for the duration of the pilot project, i.e., a maximum period of two (2) years.
- 5.1.3 The fee for a certificate of authorization for the keeping of hens and the construction of a coop and outdoor pen is **\$20**.
- 5.1.4 If the applicant does not own the property for which authorization is sought, they must provide written permission from the owner for the keeping of hens on the property in question.

5.2 GRANDFATHERED RIGHTS

- 5.2.1 Owners, tenants, or occupants who kept hens before this bylaw establishing a pilot project came into force will not have any grandfathered rights.

SECTION 6 – PENAL PROVISIONS

6.1 VIOLATION

- 6.1.1 Anyone who contravenes any of the provisions of this bylaw is in violation and may be fined between \$300 and \$1,000. In the event of a repeat offence, the minimum fine will be doubled to between \$600 to \$2,000.
- 6.1.2 In all cases, legal costs are extra.

SECTION 7 – FINAL PROVISIONS

This bylaw will come into force in accordance with the law.

Guillaume Lamoureux
Mayor

Marco Déry
Director General and Secretary-Treasurer

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| Notice of motion | May 4, 2020 |
| Bylaw adoption | May 19, 2020 |
| Public notice posting | June 8, 2020 |
| Entry into force | June 8, 2020 |