

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER XX-2022

A By-law to administer a pilot program for the keeping of egg laying chickens in urban areas.

WHEREAS the Municipal Act, 2001, S.O.2001, as amended (the "Act"), provides the Town with broad authority to pass By-laws within various spheres of jurisdiction, including a By-law respecting animal matters;

AND WHEREAS, the Act authorizes a municipality to regulate matters not specifically provided in the Act for purposes related to health, safety and well-being of the inhabitants of the municipality.

AND WHEREAS, the Act authorizes a municipality to impound animals found running at large or trespassing.

AND WHEREAS, the Council of the Corporation of the Town of Ajax, considers it appropriate to pass a By-law to regulate the keeping of animals;

NOW THEREFORE, The Council of the Corporation of the Town of Ajax enacts a "Pilot Program" as follows:

1. SHORT TITLE

1.1 This By-law may be cited as the Backyard Egg Laying Chicken By-law.

2. DEFINITIONS

2.1 In this By-law:

- a) "chicken" means an egg laying hen;
- b) "Committee" means the General Government Committee of the Town;
- c) "coop" means a fully enclosed weatherproof insulated building where chickens are kept to prevent them from escaping and includes nest boxes for egg laying, perches for the chickens to sleep on and for the keeping of food and water containers;
- d) "dwelling" means a building, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, containing one or more dwelling units;
- e) "Officer" means any person employed by the Town to enforce the provision of this By-law and also includes a Municipal Law Enforcement Officer;
- f) "owner" includes a person in possession of or harbouring chickens within the Town and, where the owner is a minor, the person responsible for the custody of the minor, and includes the person or persons identified as the owner of the property harbouring the chickens;
 - i) in the most recent municipal tax records; or
 - ii) on the deed in accordance with the records of the land registry office
- g) "person" includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate and a natural person. "persons" shall have a corresponding meaning;
- h) "rear lot line" means the farthest lot line opposite the front lot line, or in the case of a triangular lot, shall be that point formed by the intersection of the side lot lines.
- i) "rear yard" means a yard extending across the full width of a lot between the rear lot line and the nearest wall or walls of any building on the lot for which the yard

is required;

- j) “side lot line” means a lot line other than a front or rear lot line;
- k) “Town” means the Corporation of the Town of Ajax;
- l) “urban” means the urban area as identified in the Town’s Official Plan.

3. ADMINISTRATION

- 3.1 Notwithstanding Section 3.2 of the Town’s Exotic Pet By-law #56-2021, with regard to the prohibition of keeping of livestock in urban areas of the Town, this By-law shall allow the keeping of egg laying chickens in an urban area provided the requirements of this By-law are being complied with.
- 3.2 This By-law shall be in effect during a one year “Pilot Program” and throughout a subsequent review period until such time as staff report back to the Committee.

4. GENERAL PROVISIONS

- 4.1 No owner shall keep chickens in the any urban residential zone of the Town unless they have first registered with the Town.
- 4.2 Notwithstanding 4.1, no person shall keep chickens in any multi residential zone in the Town.
- 4.3 No owner shall keep chickens unless there is a coop on the property that complies with the provisions of this By-law.
- 4.4 Any person, other than the property owner, must have a signed letter from the property owner, authorizing the keeping of chickens on the property.
- 4.5 No person shall keep no less than 2 and not more than 4 chickens on the property.
- 4.6 No person shall keep chickens less than 4 months old.
- 4.7 No chicken coop shall be:
 - a) located in any yard, other than a rear yard;
 - b) greater than 10 square metres in area;
 - c) closer than 7 metres to any dwelling;
 - d) closer than 3 meters to any side or rear lot line;
- 4.8 Every rear yard of property that contains chickens shall be fully enclosed with a 2 metre high fence. If any gates form part of the enclosure, every such gate shall not be less than 2 metres in height, shall be supported on substantial hinges, be self-closing and equipped with self-latching devices placed on the inside of the gate at or near the top and such gates shall be closed at all times when a responsible person is not present in the yard.
- 4.9 Chickens shall be kept in their coops between 9:00 p.m. and 6:00 a.m.
- 4.10 Coops and chicken runs shall be maintained in a clean condition and the coop shall be kept free of vermin and pests.
- 4.11 No person shall sell or gift any eggs, sell manure and other products associated with the keeping of chickens.
- 4.12 Every person shall store chicken waste in sealed container, such as a bin with a tightly closing lid.
- 4.13 Every owner shall ensure that waste shall be disposed of in accordance with Municipal by-laws.

- 4.14 No owner shall, knowingly or not knowingly, allow their chickens to run at large or trespass on neighbouring properties within the limits of the Town.
- 4.16 Every owner shall ensure that the chicken's food supply be protected against rodents, pests, birds, and predators by storing it in a sealed container with a tightly fitting lid.

5. OFFENCE PENALTY AND ENFORCEMENT

- 5.1 Every person who contravenes any provision of this By-law, passed under the authority of the Provincial Offences Act, is guilty of an offence and on conviction is liable to a fine or penalty for each offence, exclusive of costs, as prescribed by the Municipal Act.
- 5.2 The making of a false or intentionally misleading recital of fact, statement or representation in any agreement, statutory declaration or application form required by this By-law shall be deemed to be a violation of the provisions of this By-law.
- 5.3 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty pursuant to this By-law.
- 5.4 The Town reserves the right to revoke any registration of chickens, at time, for anyone not complying with the requirements of this By-law.

6. VALIDITY

- 10.1 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of this By-law shall be valid and shall remain in force.

7. EFFECT DATE AND DURATION.

- 7.1 This By-law shall be in effect during a one year "Pilot Program" and throughout a subsequent review period until such time as staff report back to Committee on the continuation of the project.

READ a first and second time this
XXXX day of XXXXXXXXXX, 2022

READ a third time and passed this
XXXX day of XXXXXXXXXX, 2022

Mayor

D-Clerk