

THE CORPORATION OF THE TOWNSHIP OF WILMOT
BY-LAW NO. 2020 - 39

BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF WILMOT
TO REGULATE THE PROHIBITION OR RESTRICTION OF EXOTIC ANIMALS

WHEREAS Section 11(3) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides for the authority for lower tier municipalities to pass by-laws respecting animals;

AND WHEREAS Section 8(3) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that a by-law under Section 11 respecting a matter may:

- (a) regulate or prohibit respecting the matter; and,
- (b) require persons to do things respecting the matter.

AND WHEREAS the Corporation of the Township of Wilmot is desirous of enacting a by-law for the prohibition or restriction of animals;

NOW THEREFORE, the Council of the Corporation of the Township of Wilmot enacts as follows:

1. THAT the existing preamble be amended to include the following:

AND WHEREAS Section 8(3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a by-law under Section 11 respecting a matter may:

- (a) regulate or prohibit respecting the matter; and,
- (b) require persons to do things respecting the matter;
- (c) provide for a system of licenses respecting that matter.

2. THAT the existing Section 1.6 – Definition of Livestock be amended to be revised as follows:

1.6 “Livestock” – means turkeys, chicken, cattle, swine, horses, mink, rabbits, sheep, donkeys, llamas, goats or any other domestic animal used for consumption, excluding laying hens.

3. THAT the existing Section 4, Exemptions to By-Law 2011-50 be amended to include the following:

- vii) A person keeping up to four laying hens on a property in accordance with the requirements of the Township of Wilmot Zoning Bylaw 83-38, as amended, Section 6.32

4. THAT Part 5, Backyard Hens be added to By-Law 2011-50 to include the following:

5.0 BACKYARD HENS

5.1 Permitted lands: no person shall keep poultry except on lands that meet the requirements of the Township of Wilmot’s Zoning Bylaw 83-38, as amended.

5.2 Location of Coops, Pens, Lofts or Runs: No person shall have a pen, cage, loft, coop or run unless it is:

- i) Located in the rear yard of the property
- ii) Situated at least 3 meters from any property line
- iii) Situated at least 15 meters from any school, church, dwelling or other premises used for human habitation, other than the dwelling located on the same property as the coop, pen, loft or run.

5.3 Conditions of the Coops, Pens, Lofts or Runs: All pens, cages, lofts, coops and runs shall:

- i) be kept in a clean and sanitary condition, provide protection from the weather and be adequately ventilated;
- ii) All hens must be kept in a fully enclosed coop or run, to prevent their escape from said enclosure, and exclude rodents and predators from entering;
- iii) Coop floors are to be lined with shavings, straw or other appropriate materials to absorb manure and to facilitate cleaning;
- iv) All waste and garbage shall be disposed of in a manner that will not create a public

nuisance or health hazard, no less than (3) times a week and in accordance with the provisions of the Health Protection and Promotion Act, R.S.O., 1990 C.H.7, as amended, or any successor legislation, and regulations pursuant thereto;

- v) No material removed may be burned or stored within the lands or premises from which it was removed;
- vi) All feed must be stored in rodent proof containers;
- vii) Coops must be constructed with sufficient chicken box and perch area to accommodate all hens

5.4 Other Requirements: No person shall:

- i) Keep any other chicken than a laying hen, that must be over the age of 4 months' old
- ii) Sell the eggs, manure or other products associated with the keeping of hens
- iii) No slaughtering or butchering of the hens done on the property
- iv) Deceased hens must be disposed of at a livestock disposal facility through the services of a veterinarian, chicken exchange program or through a facility as approved by the Ministry of Agriculture, Food and Rural Affairs and are disposed of in accordance with all laws;
- v) Hens are to be kept in accordance with all other laws including the Township's bylaws respecting noise, clean yards, Property Standards, Animals and all provincial legislation respecting the keeping of animals
- vi) House, care for, harbor or possess hens on their property without a license from the Township of Wilmot

5.5 Licence Fee

An application for a Backyard Chicken licence shall be submitted in the proper form, including a detailed site plan and the appropriate fee to the Township in accordance with the Fees and Charges By-law.

5. THAT Section 9 Short Title of By-Law 2011-50 be amended to the following:

9.1 This By-law may be cited as the Animal Control By-law, Excluding Dogs

6. THAT this By-Law shall come into force and effect on the date of final passage.

READ a first and second time this 19th day of October, 2020.

READ a third time and finally passed this 19th day of October, 2020.

Mayor

Clerk