Council Direction:

Following public meetings with respect to the stakeholder input towards a new Responsible Animal Ownership By-law, Council directed staff to prepare a comprehensive report with respect to the keeping of chickens in urban areas.

The purpose of this Report is to provide information about the keeping of chickens in urban areas and to inform Planning Committee of the types of restrictions and controls that would need to be included in a by-law in order to minimize problems and the potential health risks.
Information:

On January 25, 2012, Council endorsed the following motion:

“(a) That staff report back by the end of the first quarter of 2012 with a comprehensive report on the concerns and regulations required for Urban Chickens, taking into account: the number of chickens per household; coop distance restrictions; enclosure and containment restrictions; enclosure and containment restrictions nuisance clauses; permit fees; and rooster regulation (rooster restriction);

(b) That staff fully study the financial and resource issues, including budgetary implications, licensing and registration and inspection costs; the costs of handling abandoned chickens and capital for accommodation of stray chickens; and a cost recovery model; and,

(c) That staff seek more comprehensive input from Public Health with this report.”

Also, on January 4, 2012, the Agricultural and Rural Affairs Advisory Committee passed the following motion:

“That chickens not be permitted to be raised in the urban area of Hamilton or in the settlement area considered as urban.”

Public Health (Health Protection) provided input to the draft Responsible Animal Ownership By-law in January 2010 and did not recommend allowing the keeping of chickens in urban areas because of health and disease control issues based on information available at the time. However, in accordance with the direction “That staff seek more comprehensive input from Public Health with this report”, Public Health Services has provided the following information with respect to the keeping of chickens in urban areas:

- Public Health Services (PHS) staff consulted with:
  - The Ministry of Health and Long-Term Care regarding public health risks;
  - Stakeholders including members from the Community Food Security Stakeholder Advisory Committee to gather feedback on food security concerns from food banks and community garden organizers;
  - Four municipalities in Ontario and four in British Columbia (see Appendix “A”); and,
  - Other areas in Canada and the United States where urban chicken by-laws were being considered or have been implemented.

PHS also considered the stakeholder submissions from the two Responsible Animal Ownership By-law public meetings (November 15, 2011 and January 12, 2012) both for and against the keeping of chickens in urban areas.
In addition to the above consultations, Public Health Services reviewed and gathered information from over 30 sources including:

- peer-reviewed literature, especially focusing on the November 2011 Journal of Community Health article, “Raising Chickens in City Backyards: The Public Health Role” by S.L. Pollack (Public Health Agency of Canada) et al;
- key Provincial and Federal government websites related to regulating eggs and chickens in Ontario including slaughter requirements;
- urban chicken reports from other health departments;
- online blogs related to keeping urban chickens; and,
- newspaper articles regarding keeping urban chickens.

While there has been interest, both for and against, in allowing chickens to be kept in urban areas, the above sources identified various potential benefits or beliefs including:

- educational opportunities (i.e. teaching children about where food, such as eggs comes from, and providing animal care experience);
- greater control over egg source in order to know where the egg originated;
- increased food security, although limited, when financially feasible to keep chickens;
- the belief that global environmental sustainability begins with local initiatives such as backyard chickens;
- a lessening to some extent of carbon emissions typically associated with transporting food such as eggs;
- companionship for family members as chickens may be treated as a pet;
- the belief that eggs will be fresher, taste better and will be pesticide free;
- expected better conditions for hens in comparison to industrial farms; and,
- possible reduction of municipal solid waste through consumption of table scraps and other organic waste by hens.

Public Health Services’ review included an assessment of the risks and benefits of keeping chickens in urban areas. It has been determined that, while some municipalities allow chickens in urban areas under very strict conditions, keeping and maintaining chickens in backyards within an urban setting is not without risk. These risks could be mitigated by following good practices to safeguard disease transmission and through a regulatory tool such as an urban chicken by-law or through amendments to the City’s Responsible Animal Ownership By-law 12-031.

Some of the issues/risks which would need to be addressed through a by-law include:

- problems with the number, age, and sex of chickens (how many to keep, abandonment of old chickens, and whether to include chicks or roosters);
• food safety issues (egg safety, unlawful sale or distribution, potential for disease transmission);
• chicken slaughter (illegal slaughter or lack of local chicken slaughterhouse locations);
• chicken (hen) care and treatment (potential for disease transmission from sick hens);
• chicken coop and design versus free range (risk of pests and predators and disease transmission); and,
• chicken waste (i.e. methods of disposal, odours and how to not affect groundwater).

To mitigate such problems and potential health risks, the following types of restrictions/controls would need to be incorporated into a by-law or amendments to the City’s Responsible Animal Ownership By-law 12-031 should Committee/Council wish to pursue allowing the keeping of chickens in urban areas:

• no sale or distribution of eggs to others outside of the household in order to comply with relevant Provincial/Federal legislation and to reduce the potential for food borne illnesses and other disease transmission;
• limit the number of chickens to three to four per single family dwelling;
• prohibit the keeping of roosters or any other poultry except chickens (hens);
• prohibit chicks under four months of age;
• the chicken coop shall be located to reduce noise and odour complaints and the risk of disease transmission. Distances are recommended to be at least 3 metres from any side lot line and at least 6 metres from any rear lot line or dwelling;
• hen coops shall be maintained in a clean condition and coop shall be kept free from obnoxious odours, substances and vermin;
• chicken coops and runs shall be located only in the rear and side yards and must fully enclose the chickens to prevent them from escaping;
• prohibit owners from allowing chickens to be at large (outside the coop, chicken run, or off the property);
• chickens’ food supply must be protected against vermin;
• manure disposal should occur through municipal waste disposal unless a suitable method of composting is available;
• no home slaughter of hens; only at licensed slaughterhouses;
• any naturally deceased hen shall be disposed of at a livestock disposal facility or through the services of a veterinarian within 24 hrs of death; and,
• a permit/registry be required for all coops for the purpose of quick tracking should the need arise to contact owners.

In addition to the consultation undertaken by Public Health Services, staff contacted four Ontario municipalities which allow chickens to be kept in urban areas, and can summarize the findings as follows:
• all have by-laws which include requirements as to number of chickens allowed, location and size of coop, lot sizes and distance restrictions, etc.; and,
• those municipalities report that they receive few complaints; less than five per year each, which is attributed to the fact few urban residents are actually keeping chickens. The general consensus is that distance restrictions disqualify a number of residential lots and "its just too much work" for most people. Those that do choose to keep chickens abide by the regulations in order to be good neighbours and avoid complaints.

Should Council deem it appropriate to invest significant time and resources into further exploration of the issue, staff could prepare a comprehensive by-law and details related to the staffing and financial resources that would be required to oversee and regulate the keeping of chickens in urban areas of the City.

If Committee/Council decide not to pursue further work on permitting urban chickens by By-law amendments, this matter can be deemed complete and removed from the Planning Committee Outstanding Business List.

SO/dt
Attach. (1)
# Urban Chicken By-laws

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Guidelines for Age, # of Birds, Sex of Chicken or Other Bird Permitted in By-law</th>
<th>Property Restrictions</th>
<th>Guidelines for Distances from Hen Enclosure</th>
<th>Hen Enclosure Considerations</th>
<th>Licence, Registry or Unique Issues since Passing By-law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Guelph</strong></td>
<td>No person shall keep ducks, geese, poultry or pigeons within the City of Guelph unless the pens have floors, are kept free from standing water, and are regularly cleaned and disinfected</td>
<td>Pens must have a distance of at least 50 feet from any school, church or dwelling house not including the owner’s dwelling house</td>
<td></td>
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</tbody>
</table>
| **Kingston**    | Hens must be at least 4 months old                                               | Hens coops and hen runs must be 1.2 m from rear lot line and 1.2 m from any side line | Hens must be kept in coop from 9:00 p.m. to 6:00 a.m. | Hens must be kept in an enclosed hen run when not in their coop | Licence required  
Tenant must obtain permission from property owner  
Owner must reside on property where hens are kept  
Applicants must advise their neighbours of intention to obtain a hen coop permit prior to submitting application |
<p>| <strong>Niagara Falls</strong> | Maximum of 10 chickens                                                           | All lots housing chickens must have a detached dwelling on it and a chicken coop shall be located at least 25 feet from the rear lot line on which the chicken coop shall be designed and constructed to ensure proper |                                           |                              |                                                       |</p>
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<tr>
<td>Quinte–West (near Belleville)</td>
<td>keep a rooster within the urban boundary</td>
<td>minimum frontage of 40 feet and a depth of 100 feet</td>
<td>chicken coop is located</td>
<td>ventilation and significant space for the chickens and be maintained in accordance with good animal husbandry practices and shall keep all vermin out</td>
<td></td>
</tr>
<tr>
<td>Quinte–West (near Belleville)</td>
<td>Hens must be at least 4 months old</td>
<td>Restricted to properties zoned as single family dwellings</td>
<td>Hen enclosure shall be at least 3 metres from side lot line, at least 1.2 metre from the rear lot line, at least 3 metres from abutting dwellings, at least 7.5 m from any church or school</td>
<td>Hen enclosure shall contain an enclosed roof structure and shall be no greater than 3X3 metres and no greater than 4.5 metres in height</td>
<td></td>
</tr>
<tr>
<td>British Columbia</td>
<td></td>
<td></td>
<td>Hen enclosure shall only be located in the rear yard</td>
<td></td>
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<tr>
<td>Kamloops</td>
<td></td>
<td>Only allow chickens on acre lots</td>
<td></td>
<td>Unknown impact*</td>
<td></td>
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<tr>
<td>Port Coquitlam</td>
<td>No chickens allowed in the City; only agricultural</td>
<td></td>
<td></td>
<td>Unknown impact*</td>
<td></td>
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<tr>
<td>Richmond</td>
<td>Can keep chickens on half acre lots</td>
<td></td>
<td></td>
<td>Unknown impact*</td>
<td></td>
</tr>
<tr>
<td>Surrey</td>
<td>No roosters</td>
<td>Only allow chickens on acre lots</td>
<td></td>
<td>No registry</td>
<td>Unknown impact*</td>
</tr>
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