



RESIDENTIAL POULTRY REGULATIONS, 2021

PUBLISHED BY AUTHORITY

These Regulations have been made by the Town Council of the Town of Clarenville pursuant to the power conferred by Section 414(hh) and any other Section found enabling, of the *Municipalities Act, 1999*, as Amended.

Adopted by the Town Council of the Town of Clarenville on the ____ day of _____ 2021 to come into effect as of the ____ day of _____ 2021.

MAYOR

TOWN CLERK

1. TITLE

These regulations shall be known and cited as “The Town of Clarenville Residential Poultry Regulations, 2021”.

2. DEFINITIONS

In these Regulations, the following words, unless the context otherwise requires, shall have the following meaning:

- a) “**Act**” means the *Municipalities Act, Statutes of Newfoundland, 1999, Chapter M-24* as amended.
- b) “**Town**” means the Town of Clarenville as defined by O.C. 96-170.
- c) “**Coop**” means a building, usually associated with a farm in which hens and other such poultry are kept.
- d) “**Council**” means the Council of the Town of Clarenville.
- e) “**Run**” means a covered secure enclosure that allows poultry access to outdoors.
- f) “**Occupant**” a person who resides in a residential dwelling and or holds property or land in possession.
- g) “**Owner**” means a person or an organization of persons owning or having the legal right to use land under consideration.

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- h) **“Poultry”** means domestic fowl, such as chickens, ducks, geese, quail and turkeys; and
- i) **“Resident”** means a person who resides within the boundaries of the Town of Clareville.

3. APPLICATION

These Regulations shall apply to all areas within the boundaries of the Town of Clareville.

4. GENERAL PROHIBITIONS

- a) No Occupant or Owner shall keep poultry except in the manner as provided in these Regulations and in accordance with any conditions attached to a Permit issued to the Occupant or Owner.
- b) No Occupant or Owner shall keep hens on any property unless the Occupant or Owner resides on that property.
- c) The maximum number of hens on a single residential property shall not exceed six (6) laying hens.
- d) The keeping of roosters shall be strictly prohibited.

5. PERMIT REQUIRED

- a) No person shall keep hens, or other such poultry in the Town of Clareville unless a permit has been issued under these Regulations.
- b) A Permit issued under these Regulations shall not be transferred.
- c) Permit fees shall be prescribed by Council in the Schedule of Fees adopted each year in its annual budget.

6. CONTROL OF HENS

- a) All Poultry shall be prohibited to roam at large.
- b) All Poultry shall be kept in an enclosure such as a coop or run.

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7. LOCATION OF COOPS AND HEN RUNS

- a) Coops and hen runs shall be located in the rear yard of a residential property.
- b) Coops and hen runs shall not be placed in a front yard or within 7.5 metres from the front property boundary line or street reservation.
- c) Coops and hen runs shall be located a minimum of 1 metre from the rear or side property boundary lines.
- d) Coops and hen runs shall not be placed within 3 metres of any window or door of a residential dwelling located on a neighboring property.
- e) Coops and hen runs shall not be placed on any easement or right of way.

8. HEALTH AND SANITATION

- a) No person shall keep hens that, in the opinion of Council, is exhibiting behavior or symptoms of illness that may threaten the health and/or safety of persons or other animals.
- b) Hen manure shall be contained and disposed of in compliance with the *Town of Clareville Anti Litter Regulations* and the *Town of Clareville Garbage and Refuse Regulations* and any other Provincial Regulation in effect.
- c) Hens shall only be slaughtered or disposed of in an offsite facility approved by the Agriculture Branch of the Department of Fisheries, Forestry and Agriculture and the Town of Clareville.
- d) Hens shall be provided with clean, fresh drinking water, nesting materials and food of sufficient quantity and quality so as to allow for normal, healthy growth and the maintenance or normal, healthy body weight.
- e) At all times, coops and hen runs shall be kept in sanitary condition, cleaned on a daily basis and kept free of manure and solids, noxious odours, insect infestation or rodents or other conditions which may affect the health and comfort of any person on adjoining properties.

9. RIGHT OF ENTRY

- a) An official authorized by Council may enter upon land or building for the purpose of making inspections relative to the poultry.

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- b) Council may issue a removal order of poultry for non-compliance with these Regulations to the Occupant or Owner on residential property.

10. ENFORCEMENT

Enforcement of these Regulations may be undertaken by any Police Officer or by an official of Council.

11. OFFENCE AND PENALTIES

- a) Pursuant to Section 419 (2) of the *Municipalities Act, 1999*, each day upon which the same offence is committed or continued shall be considered as a separate offence.
- b) Any Person who is in violation of these Regulations or who fails to comply with any provision thereof:
 - i. Shall be considered guilty of an offence under Section 419 of *Municipalities Act, 1999*; and
 - ii. Shall be liable to penalties as stipulated in accordance with Section 420 of the *Municipalities Act, 1999*.

12. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS

All previous Town of Clarenville Regulations and Amendments pertaining to “Poultry Regulations” are repealed.

13. ENACTMENT

These Regulations shall come into effect on the ___ day of ___, 2021.

14. COPY TO MINISTER

A copy of these Regulations were sent to the Minister of Municipal and Provincial Affairs on the ___ day of ___, 2021