

## RESIDENTIAL POULTRY REGULATIONS 2022

### 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(2)(g) 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 3rd day of May 2022 to come into effect as of the 3rd day of May 2022.



MAYOR



TOWN CLERK

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### 1. TITLE

These regulations shall be known and cited as "The Town of Clarenville Residential Poultry Regulations, 2022".

### 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 small enclosure for housing of poultry.
- d) **"Free Range"** means poultry for at least part of the day, can roam freely outdoors, rather than being confined in an enclosure for 24 hours each day.
- e) **"Council"** means the Council of the Town of Clarenville.
- f) **"Run"** means a covered secure enclosure that allows poultry access to outdoors.
- g) **"Occupant"** a person who resides in a residential dwelling and or holds property or land in possession.
- h) **"Owner"** means a person or an organization of persons owning or having legal right to use land under consideration.

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- i) **“Poultry”** means domestic fowl, such as chickens, ducks, geese, quail, pheasants and turkeys; and
- j) **“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 poultry on any property unless the Occupant or Owner resides on that property.
- c) The maximum number of poultry on a single residential property shall not exceed eight (8). This includes any single species or combination thereof.
- d) The keeping of roosters shall be strictly prohibited.

### **5. PERMIT REQUIRED**

- a) No person shall keep 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 Permit Rate Policy adopted each year in its annual budget.

### **6. CONTROL OF POULTRY**

- a) All poultry shall be prohibited to roam at large or “free range”.
- b) All poultry shall be kept in an enclosure such as a coop or run.

### **7. LOCATION OF COOPS AND POULTRY RUNS**

- a) Coops and runs shall be located in the rear yard of a residential property. In addition, they shall provide shade, direct sunlight, good drainage and protection from prevailing winds.

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- b) Coops and 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 runs shall be located a minimum of 5 metres from the rear or side property boundary line and/or neighbouring adjoining boundary.
- d) Coops and runs shall be placed a minimum of 2 metres from the dwelling.
- e) Coops and runs shall not be placed on any easement or right of way.

### **8. HEALTH AND SANITATION**

- a) No person shall keep poultry that, in the opinion of Council, is exhibiting behaviour or symptoms of illness that may threaten the health and/or safety of persons or other animals.
- b) Poultry 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 maintenance.
- c) At all times, coops and runs shall be kept in sanitary condition, cleaned on a regular 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.
- d) Litter shall be used as compost and fertilizer within gardens or disposed of as solid waste (at an approved facility).
- e) No person shall dispose of poultry except by delivering it to a farm, abattoir, veterinary, mobile slaughter unit or other facility that has the ability to dispose of poultry lawfully.

### **9. RIGHT OF ENTRY**

- a) As per the *Municipalities Act, 1999, Section 158(1)* an official authorized by Council may enter upon land or building for the purpose of making inspections relative to these regulations.
- b) Prior to an official authorized by Council entering upon land or building for the purpose of making inspections relative to these regulations, the Occupant or Owner of the property shall be contacted to inform them of an upcoming inspection.
- c) Council may issue an order relative to these regulations to an Occupant or Owner of residential property.

### **10. ENFORCEMENT**

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



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### **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 offense 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 Clareville Regulations and Amendments pertaining to “Poultry Regulations” are repealed.

### **13. ENACTMENT**

These regulations shall come into effect on the 3<sup>rd</sup> day of May 2022.

### **14. COPY TO MINISTER**

A copy of these regulations was sent to the Minister of Municipal and Provincial Affairs on the 19<sup>th</sup> day of May 2022.