



**ADMINISTRATIVE COMPILATION  
BYLAW NUMBER 04-20**

**CONCERNING THE IMPLEMENTATION OF A PILOT PROJECT TO  
ENABLE THE KEEPING OF LAYING HENS**

Adopted by the Municipal Council on August 25, 2020  
Entry into force on August 31, 2020

<b>Name and/or number of bylaw, policy, resolution</b>	<b>Date of approval by Council</b>	<b>Date of coming into force</b>	<b>Status</b>

## **PREFACE**

The reader is hereby advised that any errors or omissions that may be identified in the text below do not affect the enforceability of the regulations and amendments referred to therein, as sanctioned in their original version.

CANADA  
PROVINCE OF QUEBEC  
MUNICIPALITY OF PONTIAC

**BYLAW NUMBER 04-20 CONCERNING THE IMPLEMENTATION OF A PILOT  
PROJECT TO ENABLE THE KEEPING OF LAYING HENS**

**REGULAR** meeting of the Council of the Municipality of Pontiac, held on August 25, 2020, at 7:00 p.m., at which meeting were present:

**The Mayor, Mrs. Joanne Labadie**

The Council Members:

Leslie-Anne Barber  
Susan McKay  
Thomas Howard  
Scott McDonald  
Isabelle Patry

Council members and being a quorum.

**WHEREAS** during this health crisis, there has been a craze for food self-sufficiency;

**WHEREAS** it is presently prohibited to have laying hens in certain areas of the Municipality;

**WHEREAS**, under certain conditions, the Council intends to allow the presence of laying hens on its territory;

**WHEREAS** the Council also wishes to analyze the impact of this usage before considering the possibility of amending its regulations;

**WHEREAS**, to do so, certain rules and conditions must be established in particular to minimize the risk of inconvenience to residents;

**WHEREAS** the Municipality of Pontiac wishes to authorize a pilot project for a determined period, allowing the keeping of laying hens, throughout the territory of the Municipality;

**WHEREAS** the Municipality of Pontiac wishes to authorize a pilot project for a specified period, allowing the keeping of laying hens throughout the territory of the municipality;

**WHEREAS** a notice of motion to this effect was tabled at this meeting;

**THEREFORE**, it is moved by Councillor, Mrs. Susan McKay and seconded by Councillor, Mrs. Leslie-Anne Barber.

**AND RESOLVED THAT** the Municipal Council of the Municipality of Pontiac hereby orders and regulates the following by the present bylaw:

## **CHAPTER I**

### **DECLARATORY AND INTERPRETATIVE PROVISIONS**

#### **SECTION I**

##### **DECLARATORY PROVISIONS**

###### **1. Preamble**

The preamble is an integral part of this bylaw.

###### **2. Objective**

The purpose of this bylaw is to authorize, in the form of a pilot project, the keeping of laying hens for personal use in all areas of the Municipality of Pontiac where residential use is authorized.

###### **3. Scope of application**

This bylaw does not apply to livestock for the purpose of selling as permitted in areas where agricultural use is permitted.

#### **SECTION II**

##### **INTERPRETATIVE PROVISIONS**

###### **4. Terminology**

Unless the context indicates otherwise, words and expressions used in this bylaw have the following meaning:

<i>"Shelter":</i>	A protected or enclosed space in which live animals are placed.
<i>"Outdoor enclosure":</i>	Outdoor space surrounded by a wire mesh constructed in such a way that the hens cannot get out freely.
<i>"Livestock":</i>	A group of animals of a species maintained for the purpose of production for commercial purposes.
<i>"Maintain"</i>	The act of maintaining, monitoring and keeping under one's possession and protection. Which is contrary to the term breeding.

<i>"Hen"</i> :	Adult female barnyard bird of the short-crested, short winged gallinaceous family.
<i>"chick"</i> :	Chicken, newborn birds less than 6 weeks old.
<i>"Land"</i> :	Set of lots belonging to the owner and forming a property assessment unit.

## CHAPTER II

### ADMINISTRATIVE PROVISIONS

#### 5. Duration of the pilot project

The pilot project aimed to allow the keeping of hens throughout the territory of the Municipality of Pontiac is valid until November 1, 2022.

The Municipality of Pontiac, at any time, may suspend in whole or in part the application of the pilot project for the duration it determines.

In the event of the withdrawal of the pilot project, any owner, tenant or occupant of a property located on the Municipality's territory, who keeps hens as per the present bylaw, must dispose of them and proceed with the dismantling of the shelter and the outdoor enclosure, within a maximum of 30 days following receipt of a written notice sent by the Municipality.

#### 6. Withdrawal, modification and extension of the pilot project

The Council reserves the right to withdraw and modify the pilot project at any time.

At the end of the pilot project, the Council reserves the right to extend it, following the analysis of a hindsight report to be submitted to the Council four months before the end of the pilot project.

## CHAPTER III

### SPECIFIC PROVISIONS FOR THE KEEPING OF HENS

#### 7. Authorization

It is permitted to keep a maximum of five (5) hens per land under the following conditions:

- To have previously obtained a certificate of authorization in accordance with the provisions set out in section 12;
- There must be a detached single-family dwelling on the lot;
- The lot must have a minimum area of 2,000 sq. m.;

#### 8. Layout and location of the shelter and outdoor enclosure

The installation of the shelter and the outdoor enclosure are compulsory for keeping hens and must comply with all the following conditions:

- Only one shelter and one outdoor enclosure are permitted per property.
- The hens must always be kept in the shelter or the outdoor enclosure so that they cannot go freely.
- The hen house shall be laid out in such a way as to ensure good ventilation and provide a shaded area in hot weather and a dry and insulated place in cold weather.
- The shelter shall include an outdoor enclosure with a wire mesh constructed in such a way that the hens cannot get out freely.
- The shelter and the outdoor enclosure must be located in a backyard two (2) metres from the side and back property lines and must also respect a fixed margin of 30 metres from any lake, watercourse or wetland, and from any well.
- The minimum size of the hen house shall be 0.37 sq. m. per laying hen and the outdoor enclosure shall be 0.92 sq. m. per laying hen. The hen house may not exceed a floor area of 10 sq. m., the area of the outdoor enclosure may not exceed 10 sq. m., the maximum height of the roof of the hen house shall be limited to 2.5 m.
- The hens must be kept inside the shelter or the outdoor enclosure from sunset to sunrise.

#### **9. Prohibitions**

- Keeping one or more hens inside a dwelling;
- Keeping hens in cages;
- Keeping or owning a rooster;
- Keeping or owning a chick

#### **10. Maintenance, hygiene, nuisances**

The shelter and the outdoor enclosure must comply with all the following health measures:

- The shelter and the outdoor enclosure must be kept in a clean condition and excrement must be removed daily;
- Excrement must be disposed of in a hygienic manner and the citizen may not dispose of them in the municipal garbage collection;
- Waste water from the shelter or the outdoor enclosure must not spill over onto the neighbouring property.
- Odours associated with keeping hens must be minimized in the neighbourhood.

- Avian influenza or any other contagious disease will be declared to a veterinarian or directly to MAPAQ who will indicate the measures to be taken to avoid an epidemic. The citizen agrees to consult the MAPAQ leaflet to recognize the signs of avian influenza.

<https://www.mapaq.gouv.qc.ca/SiteCollectionDocuments/Santeanimale/Reseauaviaire/RecommandationsInfluenzaaviaire.pdf>

- The euthanasia or slaughter of hens will not be authorized on the residential property. The slaughter of laying hens must be done in a licensed slaughterhouse or at a veterinarian's office, or at an organization designated by the Municipality whether the hen meat is consumed or not by the citizen;
- A dead hen must be removed from the property within 24 hours and brought to the SPCA de l'Outaouais or to another organization designated by the Municipality, at the expense of the citizen;
- Laying hens will not be kept inside a dwelling or a secondary building.

### **11. Inspection**

The Municipality may, at any time after issuance of the certificate of authorization, verify the compliance of this bylaw.

### **12. Product sales and display**

It is prohibited to sell eggs, meat, manure, or other by-products from this activity.

All forms of signs referring in any way to the sale, donation or presence of hens are prohibited.

### **13. Certificate of authorization**

Any owner, tenant or occupant of a property located on the Municipality's territory who wishes to keep hens must first obtain a certificate of authorization to this effect from the Municipality, in accordance with all the following provisions:

- Fill out the application form for a certificate of authorization prepared by the Urban Planning Department;
- The applicant must have paid the cost of the certificate of authorization in the amount of \$25;
- The applicant must have provided a plan to scale describing the location and the dimensions of the shelter and the outdoor enclosure, in accordance with the present bylaw;
- No certificate of authorization to keep laying hens has already been issued for the address that is the subject of the application;
- The certificate of authorization is valid for the duration of the pilot project;

**14. Acquired rights**

No acquired rights will be recognized to an owner, tenant or occupant having kept hens before the coming into force of the present bylaw.

**CHAPTER IV**

**PENAL PROVISIONS**

**15. Sanctions**

Upon condemnation of the offender or anyone who has not complied with this bylaw by the Municipal Court.

Each day during which a contravention lasts or persists constitutes a distinct and separate offence. The offender is liable to:

- A fine of three hundred (\$300.00) dollars and costs.

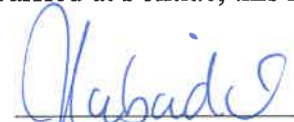
**CHAPTER V**

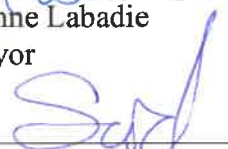
**FINAL PROVISIONS**

**16. Coming into force**

This draft bylaw will come into force in accordance with the law and will be published on the Municipality's website.

Carried at Pontiac, this August 25, 2020.

  
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Joanne Labadie  
Mayor

  
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Pierre Said  
Director General and Secretary-Treasurer

Notice of motion:	May 27, 2020
Tabling of the draft by-law	July 7, 2020
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