

**ADMINISTRATIVE COMPILATION
BYLAW NUMBER 12-22**

CONCERNING THE KEEPING OF LAYING HENS

Adopted by the Municipal Council on December 13, 2022
Entry into force on January 5, 2023

Name and/or number of bylaw, policy, resolution	Date of approval by Council	Date of coming into force	Status
Bylaw 04-20	August 25, 2020	August 31, 2022	Repealed and replaced

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 12-22 CONCERNING THE KEEPING OF LAYING HENS

REGULAR meeting of the Council of the Municipality of Pontiac, held on December 13, 2022, at 7:30 p.m., at the Luskville Community Centre, at which meeting were present:

The Mayor, Mr. Roger Larose

The Council Members:

Mrs. Diane Lacasse
Mrs. Caryl McCann
Mr. Garry Dagenais
Mr. Serge Laforest
Mrs. Chantal Allen
Dr. Jean Amyotte

All Council members and being a quorum.

WHEREAS bylaw 04-20 which was a pilot project to allow the keeping of laying hens in areas of the Municipality where this was prohibited;

WHEREAS the pilot project has been completed and that analyses have shown the proper functioning and the advantages of the project;

WHEREAS the Municipality wishes to move forward with a final bylaw that will grant residents the right to keep laying hens on the entire territory of the Municipality;

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

WHEREAS a notice of motion to this effect was given at the regular meeting of November 8, 2022;

THEREFORE, it is moved by Councillor Garry Dagenais and seconded by Councillor Dr. Jean Amyotte.

AND RESOLVED THAT the Council of the Municipality of Pontiac hereby decrees and orders the following:

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 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 small-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

SPECIFIC PROVISIONS FOR THE KEEPING OF HENS

5. 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.;

6. 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 roam 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 roam freely.
- The shelter and the outdoor enclosure must be located in a backyard 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.

7. Prohibitions

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

- Keeping or owning a rooster;
- Keeping or owning a chick

8. 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 cleaning 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.

9. Inspection

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

10. 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.

11. 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 required for the keeping of laying hens.

12. 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 III

PENAL PROVISIONS

13. Sanctions

Upon conviction 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 IV

FINAL PROVISIONS


14. Abrogation


This bylaw repeals and replace bylaw 04-20.

15. Coming into force

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

Given in Pontiac, this December 13, 2022



Mario Allen
Acting Director General

Roger Larose
Mayor

Notice of motion:	November 8, 2022
Tabling of the draft bylaw:	November 8, 2022
Adoption:	November 13, 2022
Resolution:	22-12-4837
Publication:	January 5, 2023
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