

**THE CORPORATION OF THE TOWN OF SMOOTH ROCK  
FALLS**

**BY-LAW # 2024-24**

---

**BEING A BY-LAW TO REGULATE AND LICENSE THE KEEPING OF BACKYARD  
CHICKENS IN RESIDENTIAL ZONES WITHIN THE TOWN OF SMOOTH ROCK  
FALLS**

---

**WHEREAS** Section 5(3) of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that powers of every Council are to be exercised by by-law unless specifically authorized to do so otherwise;

**AND WHEREAS** Section 8(3) of the *Municipal Act*, S.O. 2002, c.25, as amended, provides municipalities with the broad authority to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 11(3) of the *Municipal Act*, S.O. 2001, c.25, provides that a lower-tier municipality may pass by-laws respecting matters within the following spheres of jurisdiction: animals;

**AND WHEREAS** Section 128 of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that by-laws may be passed by Council of local municipalities to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause a public nuisance and further, that by-laws may be passed for purposes related to the health, safety and well-being of inhabitants of the municipality;

**AND WHEREAS** Council of the Corporation of the Town of Smooth Rock Falls is desirous of implementing a Backyard Chicken Pilot Project for a two (2) year period;

**AND WHEREAS** Council of the Corporation of the Town of Smooth Rock Falls deems it expedient, necessary and in the public's best interest to regulate the keeping of backyard chickens in accordance with the Town's Zoning By-law, as amended, for the purpose of public health and safety.

**NOW THEREFORE** Council of the Corporation of the Town of Smooth Rock Falls enacts as follows:

**1. DEFINITIONS**

---

**"Backyard Chickens"** means the accessory keeping of hens for the purpose of companionship as a pet or providing eggs for personal consumption by occupants of a dwelling on the same lot, and does not include accessory livestock, or agricultural uses otherwise defined by the Town of Smooth Rock Falls' Zoning By-law.

**"Clerk"** means the Municipal Clerk of the Town of Smooth Rock Falls or their designate.

**"Coop"** means a fully enclosed weatherproof and ventilated building where hens are kept and which the interior of includes nest boxes for egg laying, perches for the hens to sleep on, and food and water containers.

**"Council"** means the Council of the Corporation of the Town of Smooth Rock Falls.

**"Dwelling"** means a building used or intended to be used for human habitation and in which all usual domestic functions may be carried on.

**"License"** means a license issued under this By-law.

**“Officer”** means an Animal Control Officer or a By-law Enforcement Officer for the Town of Smooth Rock Falls.

**“Outdoor Run”** means an area enclosed by wire screen intended for permitted chickens to be outdoors.

**“Property Owner”** means the registered owner(s) of a property within the Town of Smooth Rock Falls.

**“Slaughtering”** means the killing of livestock for purposes that include the use of meat for food.

**“Tenant”** means a person who rents or leases a property or dwelling from a landlord.

**“Town”** means the Corporation of the Town of Smooth Rock Falls.

**“Zoning By-law”** means a by-law passed under Section 34 of the *Planning Act* that restricts the use of land in the Town of Smooth Rock Falls.

## **2. ADMINISTRATION**

---

- 2.1 The Corporation of the Town of Smooth Rock Falls is responsible for the administration and enforcement of this by-law.
- 2.2 The provisions of this By-law shall apply to the keeping of Backyard Chickens in accordance with the Zoning By-law within the boundaries of the Town of Smooth Rock Falls.

### **Pilot Project Duration**

- 2.3 The pilot project is for a period of two (2) years, commencing on September 1, 2024 and ending on August 31, 2026. If the pilot project is not continued beyond August 31, 2026 and the Town’s Zoning By-law is not further amended to provide for backyard chickens, the property owner and/or applicant agrees to take all necessary steps to remove the chickens from their property by August 31, 2026.
- 2.4 The owner and/or applicant understands and agrees that upon notice, the Town may revoke the license/permission to keep chickens in the municipality anytime during the pilot program, and the keeping of chickens after this date is an offence under the by-law as set out in Schedule “B”.

## **3. APPLICATION FOR BACKYARD CHICKEN LICENSE**

---

- 3.1 No person shall be permitted to have a backyard chicken coop or chickens on a Residential and non-Agricultural property without first having been issued a license.
- 3.2 Any person applying for a backyard chicken license must comply with the provisions relating to accessory structures for the respective zone in the Town’s Zoning By-law.
- 3.3 No person shall keep backyard chickens pursuant to this By-law, unless that person has submitted an application and receives a license from the Town of Smooth Rock Falls.