

**THE CORPORATION OF THE MUNICIPALITY  
OF ST.-CHARLES**

**BY-LAW 2026-16**

**BEING A BY-LAW TO REGULATE, CONTROL AND ALLOW FOR THE KEEPING OF  
BACKYARD HENS IN THE MUNICIPALITY OF ST.-CHARLES**

**WHEREAS** Sections 8, 9 and 10 of the *Municipal Act, 2001*, as amended, authorize a municipality to pass By-Laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 8 and 9 of Subsection 10(2) authorize By-Laws respecting: the economic, social and environmental well-being of the municipality; the protection of persons and property and animals;

**AND WHEREAS** Section 103 of the *Municipal Act, 2001*, as amended, provides that where a municipality has passed a By-Law to regulate or prohibit with respect to the being at large or trespassing of animals, the Municipality may provide for the seizure, impounding and sale of seized and impounded animals;

**AND WHEREAS** Section 128 of the *Municipal Act, 2001*, as amended, provides that a municipality is authorized to pass a By-Law to prohibit and regulate public nuisances;

**AND WHEREAS** Section 129 of the *Municipal Act, 2001*, as amended, provides that a municipality is authorized to pass a By-Law to prohibit and regulate noise, vibration, odour, dust and outdoor illumination;

**AND WHEREAS** Section 391 of the *Municipal Act, 2001*, as amended, provides that a municipality may pass By-Laws imposing fees or charges for services or activities provided or done by or on behalf of the Municipality;

**AND WHEREAS** Section 425 of the *Municipal Act, 2001*, as amended, provides that a municipality may pass By-Laws providing that a person who contravenes a By-Law of the Municipality passed under the *Municipal Act, 2001* is guilty of an offence;

**AND WHEREAS** Section 429 of the *Municipal Act 2001*, as amended, provides that a municipality may designate an offence as a continuing offence and provide for a minimum and maximum fine for each day or part of a day that the offence continues;

**AND WHEREAS** it is considered desirable to pass a By-Law relating to the keeping of Backyard Hens within the Municipality of St.-Charles.

**NOW THEREFORE**, Council for the Corporation of the Municipality of St.-Charles hereby enacts as follows:

**1. SHORT TITLE:**

- 1.1. The short title of this By-Law shall be the “Backyard Hen By-Law”.

**2. DEFINITIONS**

- 2.1 **“Advertise”** means to have a sign, billboard, poster or other such thing posted in a visible location on or in relation to a property or posted online by a resident of the property, expressing the sale of a product or service.
- 2.2 **“Approved Manure Container”** means a sealable container used for the temporary storage of manure that can be conveniently accessed for the removal of manure from the property that does not exceed 0.5 m on its longest dimension and does not exceed 1 m in height (example a 45 Gallon drum). This container shall be setback an appropriate distance from any property line, well cap or the shoreline of a body of water so as not to create a nuisance. This container shall be non-permeable, fully contained, waterproof and weatherproof.
- 2.3 **“At Large”** means any hen outside of a hen coop or run.
- 2.4 **“Backyard Hen”** means the accessory keeping of hens for the purpose of companionship as a pet and / or to provide eggs for personal consumption by the occupants of a dwelling on the same lot and does not include livestock or agricultural uses otherwise defined by the Municipality’s Zoning By-law. For the purposes of this By-Law and the Noise By-Law, as amended, and Responsible Animal Ownership By-Law, as amended and Municipal Zoning By-Law, as amended, a hen shall not be considered livestock.
- 2.5 **“Control”** includes care and custody.
- 2.6 **“Compost Heap”** means an area of a property designed for the breakdown of manure and other organic waste constructed in accordance with the health regulations and Property Standards Regulations. This compost heap shall be setback an appropriate distance from any property line, well cap or the shoreline of a body of water so as not to create a nuisance.
- 2.7 **“Council”** means the appointed and elected Council for the Corporation of the Municipality of St.-Charles.
- 2.8 **“Dispatch”** means to destroy, euthanize, or otherwise cause the death of a hen.
- 2.9 **“Dwelling Unit”** means one (1) or more rooms connected together as a self-contained, separate unit in the same building comprising all or part of the building and constituting an independent housekeeping unit for residential occupancy by

persons with facilities for persons to sleep, cook, and eat and including its own sanitary facilities.

- 2.10 **“Hen”** means a domesticated female chicken (*gallus gallus domesticus*) that is at least four (4) months old and is kept for the purpose of egg laying.
- 2.11 **“Hen Coop”** means a structure which is completely enclosed and constructed in accordance with this By-Law, is built with sufficient materials and maintained in good repair so as to prevent any hens being kept from leaving the hen coop and is constructed to allow access to an enclosed area outdoors that is attached to the hen coop and deemed to be part of it.
- 2.12 **“Keep”** means to have temporary or permanent control or possession of a hen and the words “kept”, or “keeping” have a similar meaning.
- 2.13 **“Municipal Law Enforcement Officer (MLEO)”** means any person appointed by the Corporation of The Municipality of St.-Charles to enforce the provisions of this By-Law.
- 2.14 **“Municipality”** means the Corporation of the Municipality of St.-Charles.
- 2.15 **“Person”** means any individual or corporation that possesses or keeps a hen or any individual or corporation that owns any property where a hen resides and permits or allows hens or poultry to reside on that property.
- 2.16 **“Poultry”** means any single bird or flock of any domesticated avian species that is kept by a person for any purpose and shall not include any hen as defined in this By-Law.
- 2.17 **“Premises”** means the entire lot on which a single dwelling unit building, or a multi-dwelling unit building is situated and includes a vacant lot.
- 2.18 **“Rear Yard”** mean a yard extending across the full width of a lot between the rear lot line and the nearest wall of any principal building or structure on the lot. On Waterfront Residential properties, the rear yard is the full width of the lot between the highwater mark and the nearest wall of any principal building or structure on the lot.
- 2.19 **“Rooster”** means a male chicken (*gallus gallus domesticus*).
- 2.20 **“Rural Property”** means any property zoned ‘Rural’ under the Municipal Zoning By-Law, as amended.
- 2.21 **“Town Limits”** means the areas defined within Schedule ‘B’ of this By-Law and shall include any property with frontage on a road indicated in Schedule ‘B’.

- 2.22 **“Waterfront Property”** means any property zoned as ‘Waterfront Residential’ under the Zoning By-Law, as amended.

### **3. GENERAL PROVISIONS**

- 3.1. This By-Law shall apply to all parcels of land within the geographic limits of the Municipality of St.-Charles zoned Residential One (R1), Residential Two (R2), Waterfront Residential (WR), and Rural Residential (RR) in the Municipality’s Zoning By-Law, as amended.
- 3.2. No provision of this By-Law shall be used to limit or regulate any property zoned Rural in the Municipality’s Zoning By-Law, as amended as it relates to the keeping of hens or poultry.
- 3.3. No Person shall keep or permit the keeping of any hens on a rental property without written permission from the property owner.
- 3.4. No Person shall fail to remove hens from a rental property if such permission described in Section 3.3 is removed by the property owner.
- 3.5. No Person shall keep or permit the keeping of more than five (5) hens on a property located within the Town Limits as described in Schedule B of this By-Law.
- 3.6. No Person shall keep or permit the keeping of more than five (5) hens on a property located on a property that is zoned Waterfront Residential (WR) in the Municipality’s Zoning By-Law, as amended.
- 3.7. No Person shall keep or permit the keeping of more than ten (10) hens on any property outside of the Town Limits as described in Schedule B of this By-Law.
- 3.8. Notwithstanding Section 3.6, no Person shall keep or permit the keeping of more than twenty (20) hens outside of the Town Limits as described in Schedule B of this By-Law on properties that are equal to, or larger than five (5) acres in size.
- 3.9. No Person shall keep or permit the keeping of a rooster.
- 3.10. No Person shall allow or permit a hen to run at large.
- 3.11. No Person shall fail to remove or allow the failure of the removal of manure from an approved manure container or compost heap if negative conditions arise from the storage of manure including excessive odour.
- 3.12. No Person shall advertise or permit the advertising of the sale of eggs, manure, meat or other products derived from hens.

- 3.13. No Person shall keep or permit the keeping of hens on any part of a property other than a rear yard as defined by the Municipality's Zoning By-Law, as amended.

#### **4. PROVISIONS OF CARE AND WASTE DISPOSAL**

- 4.1. Every Person who keeps a hen within the Municipality shall ensure that such hen is provided with:
- a. a clean and sanitary environment free from accumulation of fecal matter;
  - b. adequate and appropriate care, food, water, shelter and opportunity for physical activity;
  - c. an adequate number of nest boxes and perching structures for the number of hens;
  - d. the necessary care when the animal exhibits signs of pain, illness or suffering;
  - e. access to the outdoors by means of a fully enclosed run; and,
  - f. appropriate ambient temperature.
- 4.2. Every Person shall keep hens in a hen coop and shall ensure that such a hen coop is of adequate size and build for the number of hens.
- 4.3. Every Person shall ensure that any feed kept for such hens is stored in a container, secure from mice, rats, and other vermin.
- 4.4. Every Person shall ensure that all manure created in the keeping of hens is stored in an approved manure container or compost heap and disposed of appropriately.
- 4.5. No Person shall allow or permit any hen coop or approved manure container or compost heap to cause any unpleasant odour.
- 4.6. Every Person shall remove and dispose of any manure or manure kept in an approved manure container or compost heap that is causing, an unpleasant odour.

#### **5. HEN COOPS**

- 5.1. No Person shall build, or permit the use of, a hen coop that is within five metres (5m) and down gradient of any well or well cap, including the wells or well caps of neighbouring properties.
- 5.2. No Person shall build, or permit the use of, a hen coop that is within thirty metres (30m) of the shoreline of any body of water.
- 5.3. No Person shall build, or permit the use of, a hen coop that is within five metres (5m) of any rear or side property line or within ten metres (10m) of any dwelling unit on any neighbouring property, whichever is more restrictive.

- 5.4. Every hen coop shall:
- a. not exceed five metres (5m) in height (as measured in the Municipality's Zoning By-Law);
  - b. provide at least 0.37 square meters of floor area for every hen;
  - c. be enclosed on all sides and have a roof and door;
  - d. provide a perch for each hen;
  - e. provide a nest box for each hen;
  - f. be maintained in good repair and in a clean, dry, odour free, and sanitary condition, free from vermin;
  - g. be constructed and maintained to prevent any wildlife from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal; and,
  - h. provide a fully enclosed outdoor run area.
- 5.5 Any structure larger than ten (10) square metres may require a building permit.

## **6. ENFORCEMENT**

- 6.1. Every Person who contravenes any provision of this By-Law is guilty of an offence and upon conviction shall be liable to a fine prescribed and recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, for each offence committed.
- 6.2. Upon registering a conviction for a contravention of any provision of this By-Law, the Provincial Offences Court may, in addition to any other remedy and to any penalty imposed by this By-Law, make an Order prohibiting the continuation or repetition of the offence by the person convicted.
- 6.3. Every Person who contravenes any provision of this By-Law shall, upon issuance of a penalty notice in accordance with Administrative Monetary Penalty System By-Law, as amended, shall be liable to pay to the Municipality an administrative monetary penalty.
- 6.4. The Administrative Monetary Penalty System By-Law, as amended applies to each administrative penalty issued pursuant to this By-Law.
- 6.5. Each person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Monetary Penalty System By-law as amended, be liable to pay to the Municipality an administrative monetary penalty.

- 6.6. Every instance of offence committed under this By-Law shall constitute a separate offence. Each day that a contravention of this By-Law continues constitutes a separate and distinct offence.
- 6.7. No Person shall hinder or obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, an employee and / or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.

**7. SEVERABILITY**

- 7.1. Should a court of competent jurisdiction declare a part or whole of any provision of this By-Law to be invalid or of no force and effect, the provision or part is deemed severable from this By-Law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

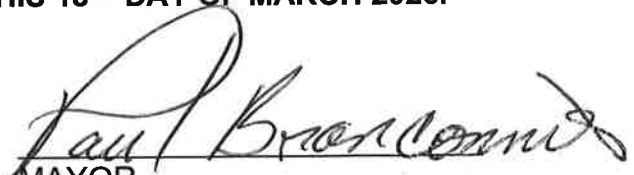
**8. SCHEDULES**

- 8.1. Schedules "A" and "B" shall be deemed to form part of this By-Law.

**9. AUTHORITY**

- 9.1. This By-Law shall come into force and take effect on the day it is passed.

**READ A FIRST TIME AND CONSIDERED READ A SECOND AND THIRD TIME  
AND FINALLY PASSED IN OPEN COUNCIL THIS 18<sup>TH</sup> DAY OF MARCH 2026.**

  
MAYOR

  
CLERK

**SCHEDULE "A" TO BY-LAW 2026-16**

**BACKYARD HENS BY-LAW  
MUNICIPALITY OF ST.-CHARLES**

**SET FINE SCHEDULE**

**PART 1 – PROVINCIAL OFFENCE ACT FINES**

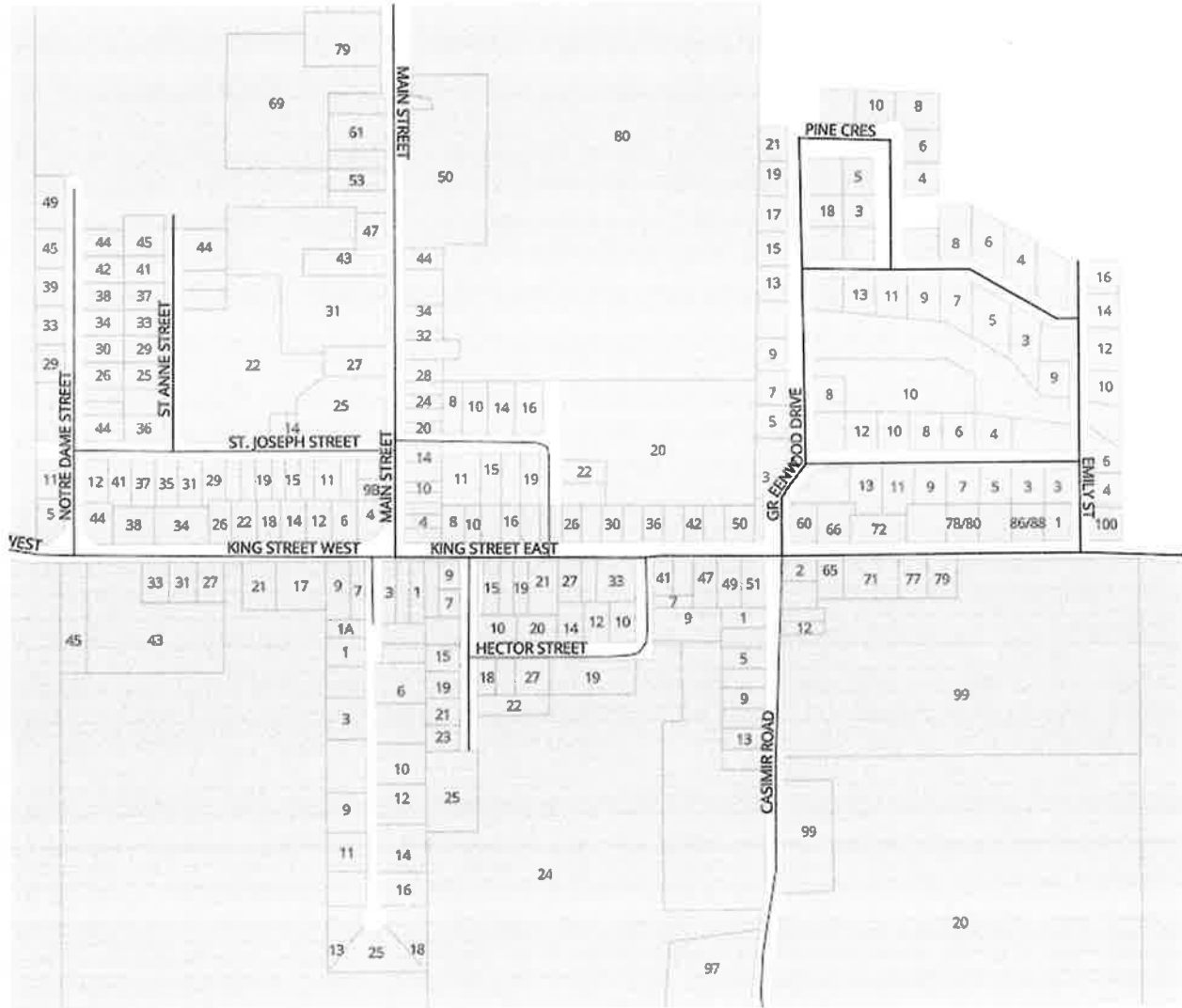
<b>ITEM</b>	<b>Column 1 SHORT FORM WORDING</b>	<b>Column 2 PROVISION CREATING OR DEFINING THE OFFENCE</b>	<b>Column 3 SET FINES</b>
1	Keep a hen on a rental property without written permission	Section 3.3	100.00
2	Permit the keeping of a hen on a rental property without written permission	Section 3.3	100.00
3	Fail to remove hens	Section 3.4	150.00
4	Keep more than five (5) hens within Town Limits	Section 3.5	100.00
5	Permit the keeping of more than five (5) hens within Town Limits	Section 3.5	100.00
6	Keep more than five (5) hens on Waterfront Residential property	Section 3.6	100.00
7	Permit the keeping of more than five (5) hens on Waterfront Residential property	Section 3.6	100.00
8	Keep more than ten (10) hens outside Town Limits	Section 3.7	100.00
9	Permit the keeping of more than ten (10) hens outside Town Limits	Section 3.7	100.00
10	Keep more than twenty (20) hens outside Town Limits on five (5) acres or more	Section 3.8	100.00
11	Permit the keeping of more than twenty (20) hens outside Town Limits on five (5) acres or more	Section 3.8	100.00
12	Keep or permit the keeping of a rooster	Section 3.9	250.00
13	Allow or permit a hen to run at large	Section 3.10	100.00
14	Fail to remove manure	Section 3.11	150.00
15	Permit the failure of manure removal	Section 3.11	150.00
16	Advertising the sale of eggs, manure, meat or other products	Section 3.12	200.00
17	Permit advertising for the sale of eggs, manure, meat or other products	Section 3.12	200.00
18	Keep a hen in any non-permitted yard	Section 3.13	100.00
19	Permit the keeping of a hen in any non-permitted yard	Section 3.13	100.00
20	Hinder or obstruct an officer	Section 6.7	500.00

**NOTE:** Penalty Provisions for the offences indicated above is Section 6.1 and 6.2 of the By-Law 2026-16, a certified copy of which has been filed.

**SCHEDULE "B" TO BY-LAW 2026-16**

**BACKYARD HENS BY-LAW  
MUNICIPALITY OF ST.-CHARLES**

**"TOWN LIMITS"**



- Main Street**
- King Street East**
- King Street West**
- Notre Dame Street**
- St. Joseph Street**
- St. Anne Street**
- Lapensee Street**
- Chevrefils Lane**
- John Street**

**Hector Street**  
**Casimir Road (between King Street East and 99 Casimir Road)**  
**Greenwood Drive**  
**Emily Street**  
**Parkview Avenue**  
**Pine Crescent**  
**Meadowside Drive**