

THE CORPORATION OF THE TOWN OF MONO
BYLAW NUMBER 2026 - 1

BEING A BYLAW TO REGULATE AND LICENCE THE KEEPING OF BACKYARD CHICKENS IN OTHER THAN RURAL AREAS WITHIN THE TOWN OF MONO

WHEREAS Section 8 (3) of the Municipal Act, 2001, S.O. 2001, c. 25 (the “Act”) provides municipalities with the broad authority to govern affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS, section 11 (2) of the Act, provides that a municipality may pass a by-law respecting the health, safety and well-being of persons;

AND WHEREAS, section 391 (1) of the Act authorizes a municipality to impose fees and charges;

AND WHEREAS, section 391 (3) of the Act states that these fees or charges may include costs incurred for administration and enforcement;

AND WHEREAS, section 398 of the Act states that fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality;

AND WHEREAS, sections 444 and 445 of the Act authorizes a municipality to make orders to discontinue, or to correct, the contravention of a by-law;

AND WHEREAS, section 446 of the Act authorizes a municipality, in default of it being done by the person directed or required to do so, it shall be done at the person’s expense;

AND WHEREAS the Council of the Corporation of the Town of Mono directed the Planning, Environment and Natural Heritage Committee (PENHC) at their February 28, 2023, meeting to draft a policy for Council to utilize in making its determination on passing a By-law to regulate and licence the keeping of backyard chickens;

AND WHEREAS at the May 28, 2024, meeting, Council reviewed the report from the Planning, Environment and Natural Heritage Committee (PENHC), on backyard chickens and provided direction to Council that included establishing a 4-year pilot program.

NOW THEREFORE the Council of the Corporation of the Town of Mono ENACTS AS FOLLOWS:

1. DEFINITIONS

“Annual Licence Cap” means the maximum number of Backyard

Chicken Licences to be issued annually.

“At Large” means a Hen being outside of its Coop or Outdoor Run.

“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 Mono Zoning By-law.

“Clerk” means the Clerk of the Town of Mono or their designate.

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

“Council” means the Council of the Corporation of the Town of Mono.

“Dwelling” means one or more rooms in a building, designed as, or intended as, or capable of being used or occupied as a single independent housekeeping unit and containing living, sleeping, sanitary and food preparation facilities or facilities for the installation of kitchen equipment and has an independent entrance. For the purpose of this By-law, a dwelling unit does not include any commercial accommodation or a recreational trailer.

“Hen” means a domesticated female chicken that is at least four months old.

“Keep” or **“Kept”** or **“Keeping”** includes harbouring or possessing for any period of time, whether temporary or not.

“Licence” means a Licence issued under this By-law.

“Officer” means a Police Officer or an Animal Control Officer, a Municipal Law Enforcement Officer for the Town of Mono, or anyone working under their authority.

“Outdoor Run” means an area enclosed by wire screen intended for permitting a hen or hens to be outdoors.

“Person” means an individual, firm, corporation, business, association or partnership.

“Property” means a parcel of land zoned other than Rural (A) and any building or other structures on the land.

“Property Owner” means the registered owner(s) of a property within the Town of Mono.

“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 dwelling from a Property Owner.

“Town” means the Corporation of the Town of Mono.

“Waitlist” means the list of applications received after the Annual Licence Cap of issued Licences has been reached.

“Zoning By-law” means a By-law passed under section 34 of the Planning Act, R.S.O. 1990, c. P.13 that restricts the use of land in the Town of Mono.

2. GENERAL PROVISIONS

2.1 No Person shall keep or permit to be kept in the Town:

- 1) More than four (4) hens on a Property;
- 2) more than one Coop on a Property;
- 3) a Rooster on a Property.

2.2 No Person shall permit a Hen to be At Large on a Property.

2.3 No Person shall keep a Hen other than in accordance with this By-law.

3. APPLICATION FOR BACKYARD CHICKEN LICENCE

3.1 No Person shall keep Backyard Chickens on a Property unless that person has submitted an application and received a Licence from the Town of Mono.

3.2 The applicant or Property Owner of the Backyard Chickens must reside on the Property where the Backyard Chickens are kept.

- 3.3 An application for such Licence must be signed by the applicant and/or Property Owner and shall include, but is not limited to, the following mandatory fields and declarations:
- 1) Applicant information including name, address (mailing and physical), postal code, and telephone number and email address;
 - 2) Property Owner's information including name, address (mailing and physical), postal code, and telephone number and email address;
 - 3) Site sketch/plan illustrating the location and size of the Coop and manure storage area on the Property, complying with the Coop and Outdoor Run regulations set out in the By-law;
 - 4) Checklist of specific regulations contained in the By-law confirmed by the applicant; and,
 - 5) A declaration that the applicant:
 - a) Reviewed the Resource Kit titled "Small Flock Poultry: Raising Healthy Birds" distributed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA);
 - b) Reviewed the OMAFRA Factsheet titled "Biosecurity Recommendations for Small Flock Poultry Owners";
 - c) Reviewed the OMAFRA Factsheet titled "Rodent Control in Livestock and Poultry Facilities";
 - d) Reviewed the Ministry of Health Factsheet titled "Keeping your family healthy with backyard poultry, including chicks and ducklings";
 - e) Will provide suitable housing and shelter for the Backyard Chickens in their care and will maintain such housing in a clean and wholesome state, having regard for Biosecurity Recommendations for Small Flock Chicken owners;
 - f) Will provide the Backyard Chickens with appropriate food, water, space and environmental conditions conducive to good health and the opportunity to socialize and engage in fundamental behaviours such as scratching, roosting and dust bathing; and,
 - g) Will abide by the regulations contained within the Backyard Chickens

By-law.

- 3.4 It is understood that different ministries and organizations may update their resources kits and factsheets from time to time. Staff has the authorization to make updates to the education packages applicants are to review as outlined in Section 3.3, based on new information provided and/or recommended by OMAFRA and the Ministry of Health.
- 3.5 Tenants must obtain written permission from the Property Owner to keep Backyard Chickens on the owner's Property.
- 3.6 The applicant will provide to the Town proof of vaccination of the Backyard Chickens to be kept on the Property within thirty (30) days of receiving approval of the application/issuing of the Licence. The Town may revoke the Licence if the applicant fails to submit proof of vaccination.
- 3.7 Every application for a Licence shall be submitted to the Town on the form provided (application form or renewal form).
- 3.8 A Licence will be issued for every approved application upon receipt of payment submitted in accordance with the annual Licence fee as outlined in the Fees and Charges By-law.
 - 3.8.1 Approved Licences that are not paid for within 30 days of their approval will not be held or guaranteed issuance, based on Licence availability.
- 3.9 The number of Licences issued shall not exceed Twenty-five (25) in any one year and shall be referred to as the Annual Licence Cap. The Annual Licence Cap includes Licence renewals.
- 3.10 Applications received after the Annual Licence Cap is reached will be added to the Waitlist. Applicants will be notified in chronological sequence of their submission upon Licence availability.
- 3.11 Every Licence issued shall expire on the 31st day of April the year following the year in which it was issued. Licensees are required to apply to renew their Licence annually to continue to keep Backyard Chickens.

Initial Application

- 3.12 An initial application shall be submitted by all new applicants for any Property proposing to receive a Licence, that includes the required documentation as outlined in Section 3.3 of this By-law.
- 3.13 A change in occupancy or ownership of the Property shall make the Backyard Chicken Licence null and void. The new occupant, Tenant or Property Owner shall submit a new initial application, not a renewal application.

Renewal Application

- 3.14 Holders of a current Licence may make application for a Licence renewal subject to there being no changes to the information submitted for the initial Licence, and payment of the prescribed fee.
- 3.15 The renewal application and prescribed Licence renewal fee shall be submitted not less than 30 days prior to the expiry of the current Licence. Failure to do so shall require the submission an initial Licence application and prescribed fee and will be subject, among other things, to Licence availability should there be a Waitlist.
- 3.16 Notwithstanding Section 3.12, approval of a Licence renewal is not guaranteed. The application to renew a Licence must demonstrate the Licence holder will continue to meet the regulations and standards required for Licence approval.

General

- 3.17 Every application for a Licence will be reviewed to determine whether it meets the requirements of this By-law.
 - 3.17.1 Applications received after the Annual License Cap has been reached, will be held on the Waitlist in the sequence received.
 - 3.17.2 Upon Licence availability, Waitlisted applicants will be contacted in the order their application was received. These applicants shall have 30 days to respond to the Town advising if they wish to proceed with their application.
 - 3.17.3 Waitlisted applicants who do not inform the Town of their intention to proceed within 30 days shall be removed from the Waitlist and the subsequent applicant contacted.

- 3.17.4 When Waitlisted applicants are offered an available Licence, they shall be required to affirm that the information on their application has not changed. If the information has changed, they will be provided an opportunity to resubmit an application within 30 days for consideration.
- 3.18 The Town, as part of its review of an application, may require an inspection of the Property.
- 3.19 If any time the Town determines that, as a result of evidence obtained or provided, the keeping of Backyard Chicken does not conform to the requirements of this By-law, may suspend or revoke the Licence.
- 3.20 The Licence holder shall as soon as practical inform the Town should the circumstances change upon which the Licence was issued. On such notification, the Town may require the Licence holder to submit additional information, including but not limited to, a new site sketch/plan.

4. PROPERTY REGULATIONS

- 4.1 A Person is not eligible for a Backyard Chicken Licence or the renewal of such Licence unless:
- 1) The use of the Property otherwise conforms with the Town's Zoning By-law and zone provisions that apply to the Property;
 - 2) The Licence holder and Property Owner are in compliance with all Town By-laws and not in arrears to the Town.
 - 3) The Property conforms to all applicable law, including the Health Protection and Promotion Act, laws regarding animal cruelty, and the Fire Protection and Prevention Act.

5. BACKYARD CHICKEN REGULATIONS

- 5.1 A maximum of four (4) Backyard Chickens shall be allowed on each Licenced Property.
- 5.2 All Backyard Chickens shall be at least four (4) months old.
- 5.3 The keeping of roosters is prohibited.
- 5.4 All deceased Backyard Chickens shall be disposed of promptly in a sanitary

manner.

- 5.5 The slaughtering of Backyard Chickens on the Property is prohibited.
- 5.6 The selling of eggs, manure, meat or other products derived from Backyard Chickens is prohibited.

6. BACKYARD CHICKEN COOP REGULATIONS

- 6.1 No Coop (including manure storage area) or Outdoor Run, shall be located within:
 - 1) The Intake Protection Zone - 1 (IPZ-1) or Well Head Protection Area (WHPA) with a vulnerability score of 10, as defined by either of the Town's Source Water Protection Plans;
 - 2) A front yard or exterior side yard;
 - 3) 3 m of any dwelling;
 - 4) 3 m of any lot line;
 - 5) 1.5 m of any structure;
 - 6) 3 m of a well;
 - 7) 3 m of any private sewage system (including tile bed); and,
 - 8) 15 m of any lot line on which a school is located.

General

- 6.3 A maximum of one (1) Coop and one (1) Outdoor Run shall be permitted per Property. A Coop shall be:
 - 1) A maximum ground floor area of 9.0 m²;
 - 2) A minimum 0.37 m² of floor area for each Hen;
 - 3) A maximum height of 2.1 m;
 - 4) Provide a covered Outdoor Run of a minimum 0.92 m² per Hen and not more than 2.1 m high;
- 6.4 The Coop and manure storage area, exclusive of the Outdoor Run, shall not cumulatively exceed an area of 10 m².
- 6.5 All Coops shall be a fully enclosed weatherproof structure or enclosed with ventilation and a heat source, built to prevent any rodent(s) from harbouring underneath or within its walls and to prevent entrance by any other animal. The interior shall include:

- 1) At least one nest box for egg laying;
 - 2) At least one perch giving 0.3 m of space per hen;
 - 3) At least one food and water container.
- 6.6 The Coop and Outdoor Run must be kept in a clean and sanitary condition at all times, free of vermin, obnoxious smells and substances, and in good repair.
- 6.7 The Coop and Outdoor Run shall be secured against the entry of predators.
- 6.8 Backyard Chickens must be provided with food and clean water at all times, shelter, and ventilation to assist in keeping the Hens in good health. Food and water shall be kept in solid, rodent proof and weatherproof containers. Uneaten feed shall be removed in a timely manner.
- 6.9 All stored manure shall be covered by a fully enclosed container. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed daily from the Coop and Outdoor Run.
- 6.10 All Backyard Chickens must be kept securely in a Coop or Outdoor Run at all times. Backyard Chickens are not permitted to run at large.
- 6.11 The Coop and Outdoor Run must be locked from sunset to sunrise.

7. RIGHT OF ENTRY

- 7.1 Every Person who holds a Backyard Chicken Licence shall allow, at any reasonable time, an Officer to inspect the Property, other than any room or place used as a dwelling, to determine whether all requirements of this By-law are being complied with.
- 7.2 No Person shall obstruct or hinder or attempt to obstruct or hinder an Officer in the exercise of a power or the performance of a duty under this By-law.

ORDERS

- 8.1 If an Officer has reasonable grounds to believe that a contravention of this By-law has or is occurring, the Officer may make an Order requiring the Person who contravened this By-law or who caused or permitted the contravention to occur to:

- (a) discontinue the contravening activity; and/or
- (b) do work or take action to correct the contravention.

8.2 An Order under section 8.1 shall set out:

- (a) reasonable particulars of the contravention adequate to identify the contravention;
- (b) the location of the premise on which the contravention occurred; and
- (c) either:
 - (i) in the case of an Order under section 8.1 (a), the date by which there must be compliance with the Order; or
 - (ii) in the case of an Order under section 8.1 (b), the action to be done and the date by which the action must be done.

8.3 An Order made under this By-law may be served personally, ordinary mail to the last known address or by email transmission to:

- (a) the Person the Officer believes contravened this By-law; and
- (b) such other Persons affected by the Order as the Officer making the Order determines.

8.4 The Order shall be deemed to have been served on the seventh (7th) day after the date of mailing or on the date of personal service or on the date of email transmission.

8.5 An Officer who is unable to effect service of an Order pursuant to this By-law shall place a placard containing the Order in a conspicuous place on the premise and the placing of the placard shall be deemed to be sufficient service. The placing of the placard of the Order shall be deemed to be served on the date of placing the placard.

8.6 If a Person fails to comply with an Order pursuant to this By-law the Town may, at all reasonable times, enter on the property and effect compliance at the expense of the Property Owner or occupant who has failed to comply, and may recover the costs of doing so from the responsible Person by action or by adding them to the tax roll and collecting them in the same manner as property taxes.

9. REFUSAL, REVOCATION, SUSPENSION

- 9.1 Any Person who has been issued a Licence under this By-law, shall at all times comply with the By-laws of the Town and any contravention of any By-law or any other Provincial or Federal law may be grounds for the refusal, suspension or revocation of the Licence.
- 9.2 Any Person who has been issued a Licence under this By-law, shall at all times comply with the declarations made within an application for a Licence under this By-law. Non-compliance may be grounds for the refusal, suspension or revocation of the Licence.
- 9.3 A Licence that has been suspended or revoked, as issued under this By-law, shall be returned to the Clerk and the Town will provide written notice addressed to the Licence holder's last known address giving the reasons for the refusal, suspension or revocation of the permit.

10. RECOVERY OF COST

- 10.1 In addition to any other fees or costs, and to any remedies or penalties imposed pursuant to this By-law, the Town may impose a fee or charge upon any Person to recover any enforcement costs incurred.
- 10.2 The fees and charges outlined in Section 10.1 of this By-law shall include interest calculated at a rate of 15% per annum, calculated for the period commencing for the day the Town incurs the cost and ending on the day the costs, including the interest, are paid in full.
- 10.3 Where all the owners of a property are responsible for paying certain fees and charges imposed pursuant to this By-law, the Town may add such fees and charges to the tax roll for the property and collect them in the same manner as municipal taxes.
- 10.4 The amount of the fees and charges, including interest, constitute a lien on the land upon registration in the proper land registry office of a notice of lien. The lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued to the date the payment is made. Upon receiving payment of all costs payable plus interest accrued to the date of payment, the Town shall register a discharge of the lien in the proper land registry office.

11. OFFENCE AND PENALTY PROVISIONS

- 11.1 Every Person who contravenes any of the provisions of this By-law shall be guilty of an offence and upon conviction is liable to a fine pursuant to the

Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.

- 11.2 Each day of contravention shall be a separate offence.
- 11.3 Upon conviction, the Court in which the conviction has been entered and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 11.4 Any Person who is charged with an offence under this By-law or an Order issued pursuant to this By-law or every director or officer of a corporation, who knowingly concurs in the contravention by the laying of an information under Part III of the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended, is guilty of an offence and if found guilty of the offence is liable pursuant to the Municipal Act, as amended, to the following:
- (a) on a first offence, to a fine not more than \$50,000.00; and
 - (b) on a second offence and each subsequent offence, to a fine of not more than \$100,000.00; and
 - (c) in the case of continuing offence, for each day or part of a day that the offence continues, the maximum fine shall be \$10,000.00 per day for every day in contravention and the total of all daily fines for the offence is not limited to \$100,000.00.
- 11.5 Every Person who is issued a Part 1 offence notice or summons upon conviction is guilty of an offence under this By-law shall be subject to a fine, to a maximum as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.
- 11.6 Every Person who is alleged to have contravened any of the provisions of this By-law, shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of his or her duties.
- 11.7 Upon conviction any penalty imposed under this By-law may be collected under the authority of the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.

12. SEVERABILITY

- 12.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of Council that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

13. INTERPRETATION

- 13.1 References in this By-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended or re-enacted.
- 12.2 In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.
- 12.3 The Short Title of this By-law is the "Backyard Chicken Bylaw".

14. FORCE AND EFFECT

- 14.1 This By-law shall take force and effect upon the passage hereof.
- 14.2 Schedule "A" to the By-law shall be effective upon the approval and/or amendment by the Regional Senior Justice of the Ontario Court of Justice.

Read a first time this 25th day of March 2025.

Read a second time this 9th day of September 2025.

Read a third time and finally passed this 13th day of January 2026.

Original signed by:

John Creelman, Mayor
Fred Simpson, Clerk

**Schedule “A”
To By-law 2026-1 Backyard Chickens**

Part I Provincial Offences Act

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	More than four (4) hens on a lot	2.1 1)	\$250.00
2	More than one Coop on a lot	2.1 2)	\$250.00
3	Keep a Rooster	2.1 3)	\$250.00
4	Permit a Hen to be At Large	2.2	\$250.00
5	Keep Backyard Chickens without Licence	3.2	\$500.00
3	Slaughter of Backyard Chickens on Property	5.5	\$500.00
4	Sell eggs, manure, meat or products from Backyard Chickens	5.6	\$500.00
5	Coop or Run not kept sanitary	6.6	\$500.00
6	Coop or Run not kept safe from predators	6.8	\$500.00
7	Stored manure not covered	6.9	\$500.00
8	Obstruct or hinder Bylaw Officer	7.2	\$750.00

NOTE: The general penalty provision for the offences indicated above is Section xx of the By-law 2026-xx, a certified copy of which has been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.