

POLICY-PROCEDURE MANUAL  
**TITLE: BACKYARD HEN KEEPING IN RESIDENTIAL ZONES POLICY**

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**PREPARED BY:            AUTHORIZED BY:            DATE OF ISSUE OR REVISION:**

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A. Anand, Planner            Council            December 18, 2023

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**1.0 Policy Purpose:**

The purpose of this policy is to pilot the keeping of backyard hens in single and two-family residential zones in the District. All households currently raising backyard chickens in R1-A, R1-B, R1-C, R2-A, and R2-B zones are eligible to participate as well as twelve households not already raising backyard chickens<sup>1</sup>. This policy will also allow to keep of a maximum of six (6) backyard hens in the R1-A, R1-B, R2-A, and R2-B zones and a maximum of four (4) backyard hens in the R1-C zone.

**2.0 Policy Scope:**

The policy details the following for the pilot project: timeline, registration process, regulations, enforcement mechanism, feedback procedure, and remediation process.

**3.0 Pilot Project Period (Timeline):**

This policy would be applicable for fifteen (15) months. The fifteen (15) month period for the pilot project will help identify any potential issues and/or concerns that may arise throughout all the seasons as well as provide sufficient time to gather community feedback. Community feedback will include input from the participants, their neighbours, and the community in general after twelve (12) months of the pilot project initiation.

The following table briefs the implementation timeline for the pilot project and includes the departments responsible for the respective tasks:

| <b>Pilot Project Timeline</b> | <b>Tasks for District Staff</b>   | <b>Department Responsible</b> |
|-------------------------------|---|-------------------------------|
| Month 1                       | Updating the District's contract with the Kitimat Community Humane Society (KCHS) based on the approved policy. | Corporate and KCHS            |
| Month 1 to 3                  | Accepting pilot project applications, conducting a lottery draw, and registration of participants.              | Planning                      |
| Month 3 to 5                  | Initial site inspections.   | KCHS                          |
| Month 3 to 5                  | If required, Building Permit applications.  | Building                      |
| Month 13 to 15                | Staff initiates community feedback, evaluates the results, and reports back to the Council.                     | Planning                      |

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<sup>1</sup> Note: Wherever the term 'chicken' is used in this policy, it is to include the households which are already raising backyard hens and may have roosters in the flock.

|                                       |  |              |
|---------------------------------------|--|--------------|
|                                       |  |              |
| Throughout the pilot project timeline | Regular inspections and inspections based on complaints.   | KCHS / Bylaw |
|                                       | Enforcement related to non-compliance with policy.   | KCHS / Bylaw |
|                                       | Staff report back to the Council due to any health and safety condition(s) that arise which could lead to recommending the discontinuation of the pilot project. | Planning     |

**4.0 Registration Process:**

**4.1 Existing Households Raising Backyard Chickens:**

There is no fee for the pilot project registration. The following outlines the registration process to participate in the pilot project:

- Participants are responsible for ensuring they are or can meet the regulations outlined in the policy.
- Participants must submit an application form, in the prescribed format, to the Planning Department at [planning@kitimat.ca](mailto:planning@kitimat.ca) or at Municipal Hall, 270 City Centre, Kitimat during regular business hours.
- The application must include the site plan highlighting the existing principal structure, all the existing accessory structures, coop structure, run area, and existing or proposed required fencing.
- Participants will register all poultry in the flock regardless of age, gender, or number of poultry.
- The Planning department is responsible for reviewing applications.
- Application will be referred to KCHS who will arrange an inspection meeting.
- It is the responsibility of the applicant to obtain all necessary permits in accordance with this policy and the *Kitimat Municipal Code*.

**4.2 New Participants to Raise Backyard Hens**

There is no fee for the pilot project application. The following outlines the application process to participate in the pilot project:

- Participants are responsible for ensuring they are or can meet the regulations outlined in the policy.
- Participants must submit an application form, in the prescribed format, to the Planning Department at [planning@kitimat.ca](mailto:planning@kitimat.ca) or at Municipal Hall, 270 City Centre, Kitimat during regular business hours.
- The application must include the site plan highlighting the existing principal structure (residence), all the existing accessory structures, coop structure, run area, and existing or proposed fence.
- The Planning department is responsible for reviewing applications.
- A lottery draw will be conducted for each of the three (3) eligible neighbourhoods for selecting four (4) participants from each neighbourhood.
- Application will be referred to KCHS who will arrange an inspection meeting.
- It is the responsibility of the applicant to obtain all necessary permits per this policy and the *Kitimat Municipal Code*.

### **5.0 Pilot Project Regulations:**

The pilot project regulations include the requirements that must be met by the participants. These requirements are based on best practices from several other communities. These regulations are developed considering Kitimat's unique geography, wildlife, and input from households currently raising backyard chickens conducted in November 2022.

### **5.1 Applicable Definitions:**

- **Chick:** A young bird from the time of hatch up until the point it is fully feathered, which is usually between 14 to 21 days of age.
- **Chicken:** A domesticated chick, hen, pullet, and rooster.
- **Coop:** A closed structure that provides shelter from cold, heat, wind, rain, snow, and predators for protected roosting, nesting, feeding, and watering space.
- **Euthanasia:** The process of ending the life of an individual bird in a way that minimizes or eliminates pain and distress. It is characterized by rapid, irreversible unconsciousness (insensibility), followed by prompt death.
- **Hen:** A female domestic fowl that has reached sexual maturity (i.e. begun to lay eggs).
- **Pullet:** A young female domestic fowl from the point it is fully feathered and that has not yet reached sexual maturity (i.e. begun to lay eggs).
- **Rooster:** A domesticated male chicken.
- **Run Area:** An area fenced on all sides and entirely covered from above in a manner that will keep predators and vermin from entering and hens from escaping.
- **Vermin:** Pests, insects, rodents, and wildlife in general that are believed to be harmful to crops, farm animals, or that carry disease.

### **5.2 Applicable Abbreviations:**

- **KCHS:** Kitimat Community Humane Society

### **5.3 Regulations:**

The following sub-sections contain the regulations that will be applicable to all the pilot project participants. The regulations are presented in a question-and-answer format.

#### **5.3.1. Who can take part in this pilot project?**

Any property owner or tenant, with the approval of the property owner, who is currently raising backyard chickens in the permitted residential zones can take part in this pilot project subject to the policy. Twelve (12) new households will also be permitted to participate in the pilot project. The participant's property must have a residential dwelling and the participant must reside at the property where the backyard chickens are kept.

#### **5.3.2. Which residential zones are permitted in this pilot project?**

A total of five zones: R1-A, R1-B, R1-C, R2-A, and R2-B are permitted to keep backyard chickens as part of the pilot project.

**5.3.3. What if an existing household raising chickens does not participate in the pilot project?**

Households with chickens not participating in the pilot project are subject to enforcement under the *Kitimat Municipal Code*.

**5.3.4. How many hens can be kept in the backyard?**

Participants must have a minimum of two (2) hens per residential lot. A maximum of six (6) hens per residential lot are permitted for the pilot project in R1-A, R1-B, R-2A, and R2-B zones and a maximum of four (4) hens per residential lot are permitted in the R1-C zone. The Planning Department can assist you in identifying the zoning of your property.

**5.3.5. What if I have more than the maximum allowed number of chickens?**

At the discretion of the District of Kitimat, or its agents, participants who already have more than the maximum number of chickens may be permitted to keep them until the end of the chicken's life. The additional chickens need to be reported during the registration process.

**5.3.6. Are roosters permitted?**

No. Roosters are prohibited. At the discretion of the District of Kitimat, or its agents, participants who already have a rooster may be permitted to keep them until the end of the rooster's life. The existing rooster(s) need to be reported during the registration process. New roosters will not be permitted. It is the responsibility of the participant to rehome the rooster.

**5.3.7. Am I allowed to bring new backyard chickens in during the pilot project?**

No more than twelve (12) new households will be permitted to participate in the pilot project. Four (4) households from the Whitesail neighbourhood, four (4) households from the Nechako neighbourhood, and four (4) households from the Kildala neighbourhood will be allowed to participate. An application period will be held and a lottery draw will be administered to determine the participating households.

**5.3.8. What if I am a new household and bring in new chickens during the pilot project?**

You will be subject to enforcement under the *Kitimat Municipal Code*. Only those households identified during the application or registration period for the backyard hen-keeping pilot project will be pilot project participants.

**5.3.9. Is there a requirement for a fence in the backyard?**

Best practices have identified the benefits of a fence to prevent conflicts between hens and wildlife, domestic animals, and people. At the discretion of the District of Kitimat, or its agents, additional time may be provided to the participant to meet the fencing requirements.

It is the responsibility of the applicant to ensure that the fence is constructed in accordance with this policy, the *Kitimat Municipal Code*, or other legislation.

Electric fences are not required.

**5.3.10. How are the backyard chickens going to be housed?**

The backyard chickens shall be housed in a clean coop that is built and maintained in accordance with good animal husbandry practices. The coop must be connected with a run area providing secure access to exercise, sunlight, earth and vegetation and is freely available to the chickens when they are unsupervised during the day. Neither the chickens shall be kept in a cage nor shall they run at large.

**5.3.11. What are the regulations around cleaning of a coop and disposing of the waste?**

The coop must be maintained and cleaned regularly to minimize odour and prevent attracting vermin. Storage and disposal of feces must be hygienically managed. When the coop is cleaned, the waste must be disposed in the following two ways:

- The chicken owner can compost the waste and can have up to three (3) cubic feet (0.085m<sup>3</sup>) of compost piled at a time in an enclosed structure in the backyard. The structure shall be located at a minimum distance of three (3) metres from any structure as well as comply with the applicable setback requirements.
- Waste can be disposed of as yard waste in accordance with the *Kitimat Municipal Code*. Questions regarding the disposal of the waste can be made through the District's Way Less Waste program.

**5.3.12. Where should the coop and the run area be located in the backyard?**

The coop and the run area must:

- comply with any lot setbacks as per the zoning bylaw. The Planning Department may assist with determining lot setbacks.
- be at least three (3) metres from the principal building, and/or any other dwelling unit.
- be connected to each other.
- be located away from the multipurpose trails which may be located either on the side or the back of the property. This is to avoid snowblowing that happens in the backyard during heavy snow days. All run areas and coops must be located so that they can be seen from a safe distance from any direction that a reasonable person would approach.

**5.3.13. What is the minimum coop size?**

The participant shall provide each chicken with at least half (0.5) square metres of coop floor area as well as provide and maintain at least one perch that is at least fifteen (15) centimetres long and one nest box per hen. At the discretion of the District or its agents, the coop size may be varied for the pilot project. The variance of the coop under this pilot project does not preclude the District or its agents from requiring compliance in the future.

**5.3.14. Is a coop an accessory structure?**

Yes. The coop shall be considered an accessory structure. It is the responsibility of the applicant to ensure that the coop is constructed in accordance with this policy, the *Kitimat Municipal Code*, or other legislation.

**5.3.15. Does a participant need a building permit for the coop?**

In accordance with the *Kitimat Municipal Code*, a building permit is required if the coop is more than ten (10) square meters in floor area. It is the responsibility of the applicant to ensure that the coop is constructed in accordance with this policy, the *Kitimat Municipal Code*, and other applicable legislation.

**5.3.16. Does the coop need to have heat or light?**

The chickens must be provided with adequate heat and a source of lighting. If an electrical connection is required to provide heat or light, it is the responsibility of the applicant to ensure that it is provided in accordance with the policy, the *Kitimat Municipal Code*, and any other applicable legislation.

**5.3.17. What are the requirements for a run area?**

The run area shall provide at least one (1) square metre of roofed outdoor enclosure per chicken. It shall have a ground surface comprised of a material that is clean, non-toxic, biodegradable, readily available, and replaceable, and which is well maintained.

**5.3.18. Is the run area an accessory structure?**

No. A run does not require a Building Permit.

**5.3.19. What regulations need to be followed for feeding and watering the chickens?**

Chicken owners must ensure that the chickens always have access to feed and water. All chickens must have access to at least two (2) waterers (e.g. cups, nipple drinkers).

Chicken owners are responsible for ensuring that the chickens are provided with food and water in accordance with this policy.

**5.3.20. How do I store the chicken feed on the property?**

The feed must be stored securely inside an enclosed space to prevent attracting animals such as birds, vermin, domestic animals, and wildlife.

**5.3.21. What do I do if the backyard chicken is suspected to be ill?**

If it is suspected that any backyard chicken is ill, the owner is required to contact a veterinarian immediately to diagnose the illness. The owner shall also report the illness to KCHS. If a backyard chicken is diagnosed with a communicable disease and/or virus, the owner is required to contact the Public Health Department of Northern Health and to comply with directions provided by Northern Health.

**5.3.22. Can a chicken be killed for meat? Or in general?**

No. Slaughter, or attempt to euthanize, a chicken within the District's boundary is prohibited and euthanizing chickens may only be performed by a qualified person like a licensed veterinary doctor.

**5.3.23. What to do when the chicken dies?**

Whenever a chicken dies, it will be reported to the KCHS including the reason for death. The chicken carcass cannot be buried or otherwise disposed of on the property. Chicken carcasses must be disposed of in accordance with the *Kitimat Municipal Code* to help mitigate the potential health concerns as well as to protect our local and migratory bird populations.

Questions regarding the disposal of chicken carcasses can be made through the District's Way Less Waste program.

**5.3.24. Can the eggs or other derived products from chickens be sold to others?**

No. Backyard chickens are kept for personal use only. The sale of eggs, manure, meat, or other products derived from the backyard chickens on or off the property is prohibited in the District of Kitimat.

**6. Enforcement Mechanism:**

The District's *Kitimat Municipal Code* prohibits the possession of poultry within the District. Enforcement will not be pursued against pilot project participants.

The District of Kitimat reserves the right, at their sole discretion, to remove a participant from the pilot project. The participant would then be subject to enforcement of the *Kitimat Municipal Code*.

**7. Feedback Procedure:**

Staff will collect feedback from the participants, their neighbours and the community in general after twelve (12) months of this pilot project in place. The feedback procedure will seek to capture the lived experience with the backyard chickens in the residential zones and the results will be evaluated and reported back to Council.

**8. Remediation Process:**

The Backyard Hen Keeping in Residential Zones Pilot Project may be amended or cancelled through the resolution of the Council. Situations concerning public health and safety, for example, communicable disease and/or virus including avian-influenza, increased wildlife interactions including attacks on hens, pets and humans, and/or unresolved complaints from community members citing noise, hygiene and/or health-related issues may be reported to Council. The Backyard Hen Keeping in Residential Zones Pilot Project is subject to any provincial and/or federal health orders related to poultry.