



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Policies and Priorities Committee

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: May 25, 2021

Report Number: CS- 2021-07

Subject: Urban Hens Licensing Pilot Program Interim Update

Recommendations

It is recommended:

That Report CS-2021-07 entitled “Urban Hens Licensing Pilot Program Interim Update” **be received**;

And that By-law 2020-14 authorizing the Urban Hen Licensing Pilot Program **be amended** for the remaining pilot period in effect until April 30, 2022;

And further that the amended by-law **be considered** at the next Regular Council Meeting.

Background

Report CS-2019-36 Urban Hen Licensing Pilot Program (Pilot Program) was presented at the October 22, 2019 Policies & Priorities Committee (PPC) Meeting outlining a proposed two-year Pilot Program.

In accordance with the direction at the October 22, 2019 PPC Meeting, a Public Information Centre (PIC) was held to receive input from the public on the proposed Pilot Program.

Subsequently, Report CS-2019-43 was presented at the December 10, 2019 Regular Council Meeting (RCM) summarizing the comments and concerns received from both the PIC and online feedback relating to the Pilot Program.

The two-year Pilot Program was approved, under Report CS-2020-04, at the January 28, 2020 PPC Meeting commencing March 1, 2020 and extending to April 30, 2022.

In accordance with the Pilot Program Terms and Conditions as set out in By-law No. 2020-14 adopted on February 11, 2020, the Pilot Program establishes a limit of six (6) female hens for

properties under 10,000 square feet. For properties over 10,000 square feet, an additional hen is permitted per 3,000 square feet up to a maximum of twelve (12) hens.

Owners desirous of keeping urban hens need to complete the Pilot Program registration form, meet all of the eligibility requirements and submit an annual license fee of \$25.00. An on-site inspection of the property to assess and ensure compliance with the Terms and Conditions outlined in the Pilot Program, and registration form, is conducted by the Planning & Building Services Department, prior to issuing a license and identification band for each hen.

Comments

The purpose of this report is to provide an interim report on the Pilot Program after a little over one year of experience.

Pilot Program Registrations

Since the launch of the Pilot Program on March 1, 2020, eleven (11) permits have been issued to owners, for the keeping of a total overall of sixty-six (66) urban hens.

In early February 2021, Administration received complaints with respect to the proper keeping of the hens, their feed and coop resulting in rodents for one of the permit properties (6 registered hens). In addition to telephone conversations with the property owner and written correspondence to reiterate compliance with the Pilot Program's Terms and Conditions, the By-law Enforcement Officer also attended the property on multiple occasions to ensure compliance. Failure to comply with the provisions of the Pilot Program resulted in the permit being revoked in early March 2021 in accordance with the Terms and Conditions.

Accordingly, as at this writing, ten (10) permits are active for the keeping of sixty (60) urban hens.

Terms and Conditions

Administration has been monitoring the Pilot Program since inception. Based on the recent experience and revocation of a permit, it is recommended that amendments be made to the Terms and Conditions to assist in strengthening enforcement and recovery of any costs related to the removal of hens or hen coops/runs, when required.

By-law No. 2020-14, being a by-law to approve a two-year Pilot Program for Licensing Urban Hens, currently states that "every person who contravenes any section of the Terms and Conditions as set out in Schedule A is, upon conviction, guilty of an offence and shall be liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, c.P. 33, as amended, and be subjected to any other penalties permitted by law for each offence. Each day such violation continues shall constitute a separate offence and may be punishable as such." Amendments to the By-law approving the Pilot Program to provide for additional authorization to enter onto property to inspect, issue orders to comply, authorize removal of hens and/or coop and run and to recover any costs incurred are shown on [Attachment 1](#).

Additionally, enhanced wording is recommended to the Terms and Conditions as appended and forming part of the By-law in Section 3 - Hens at Large and Section 11 – Seizure and Impoundment provisions of the Terms and Conditions to clearly outline costs incurred by the Town can be charged back to the Owner. The recommended amendments are shown in red in the Terms and Conditions on the Registration Form, as appended under [Attachment 2](#).

Complaints

Concerns and/or complaints regarding the keeping of urban hens are recorded and tracked in CityWorks.

To date, the following seven (7) service requests have been received in CityWorks:

| Service Request Issue | Resolution |
|---|--|
| Keeping of urban hens on property without permit | By-Law Enforcement Officer attended property and educated property owners on the Town’s Pilot Program; property owners submitted registration form and permit was approved |
| Keeping of urban hens on property without permit and possible rooster on premise | By-Law Enforcement Officer attended property and educated property owner on the Town’s Pilot Program, confirmed no roosters were on premise; property owner submitted registration form and permit was approved |
| Permit owner’s hens were loose on neighbour’s front yard | Clerks Department contacted property owner who ensured hens were returned to hen coop/run Note: relates to property for which permit was revoked in March 2021 |
| Proper keeping of urban hens, feed and rodents | Following attempts with property owners to ensure compliance with Pilot Program’s provisions, the permit was revoked and the hens and hen coop/run were voluntarily removed from the property |
| Possible keeping of urban hens/rooster on property without permit | Service requester advised the neighbour no longer had hen/rooster on premise |
| Keeping of urban hens on property without permit and possible roosters on premise | By-Law Enforcement Officer attended property and educated property owners on the Town’s Pilot Program, several hens and roosters were on premise violating the Town’s Pilot Program; upon site re-inspection the violations had been corrected and the hens/roosters removed from the premise by property owner |
| Smell/odor arising from urban hen coop/run | Clerks Department contacted the property owner who confirmed the hen coop/run had just been cleaned, per Pilot Program’s Terms and Conditions, together with warmer weather and wind direction, likely ‘turned up’ smell, as well as committed to turning soil in garden compost to mitigate any potential odors |

Table 1: Service Requests to date received in CityWorks

The Planning & Building Services Department continues to enforce the provisions consistent with property standards.

The Pilot Program will continue to be monitored over the remaining term and a further report to Council will be provided in Q1 of 2022 for Council to consider continuation or discontinuance of urban hen licensing.

Consultations

Planning & Building Services

Financial Implications

An annual license fee of \$25.00 per registration form is received to cover the cost to acquire identification bands, and nominal recovery for staffing resources to administer, monitor and enforce the Pilot Program.

Expenses to date, relating to the identification bands, in the approximate amount of \$100.00 for 100 bands have been funded from the Animal Control Budget.

Link to Strategic Priorities

Applicable

2019-22 Strategic Priorities

- Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
- Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
- Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
- Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
- Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Christina Hebert, BA (Hons), MA, Dipl. M.A.
Manager Committee & Community Services

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Margaret Misk-Evans, MCIP, RPP
Chief Administrative Officer

| Attachment Number | Attachment Name |
|--------------------------|--|
| 1 | Urban Hens Licensing Pilot Program By-Law |
| 2 | Urban Hens Licensing Pilot Program Registration Form |