

**TOWN OF LAKE COWICHAN  
BYLAW NO. 1052-2021**

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A Bylaw to Amend Animal Control Bylaw No. 1019-2019

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**WHEREAS** Council is desirous of allowing the keeping of backyard chickens as a permitted use in certain areas;

**AND WHEREAS** the Council of the Town of Lake Cowichan deems it expedient to amend Bylaw 1019-2019 to allow for changes to permit the keeping of backyard hens;

**AND WHEREAS** the passage of this bylaw has met all the requirements pursuant to paragraph 8 (3) (k) of the Community Charter, SBC 2003, c. 26 provides general authority to regulate, prohibit and impose requirements by bylaw in relation to animals;

**NOW THEREFORE** the Council of the Town of Lake Cowichan in open meeting assembled enacts the following:

**1. TITLE**

This bylaw may be cited for all purposes as the 'Town of Lake Cowichan Animal Control Bylaw Amendment Bylaw No.1052-2021'.

**2. DEFINITIONS**

2.1 **Definitions** are hereby revised by amendment or additions:

**BACKYARD HEN ENCLOSURE** shall mean an area of land on a property used for keeping hens consisting of a coop and a pen, each with at least 1.0 metre in height but exceeding the maximum height for accessory buildings in accordance with the Zoning bylaw;

**COOP** shall mean a covered enclosed structure to shelter hens;

**HEN** shall mean a domesticated female chicken that is at least 4 months old that is kept on a property occupied by a resident;

**PROPERTY** shall mean real property as defined in the Community Charter;

**RESTRICTED ANIMAL** shall mean any horse, mule, cattle, ass, swine, sheep, goat, animal of bovine species, rooster, turkey, goose, duck, or other fowl.

**3. Inserting a new Section 10 and renumbering the sections consecutively following:**

**10. Requirements for Keeping hens**

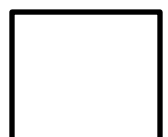
10.1 No person may keep hens on property unless the hens are kept as a lawful accessory use of the property in accordance with the Town's Zoning Bylaw, and the person keeping the hens:

- a) is the registered owner of the property on which the hens are kept; or
- b) has the written permission of the registered owner of the property to keep the hens.

10.2 No person may keep more than 6 hens on a property.

10.3 The owner must not keep any hen:

- a) within a residential dwelling unit, or on a balcony or deck; or
- b) in a cage, unless for the purpose of transport of the hen.



10.4 The owner must ensure that each hen always remains in a backyard hen enclosure that:

- a) complies with the siting requirements for backyard hen enclosures as regulated by the Town’s Zoning Bylaw;
- b) ensures each hen maintains good health by providing opportunity to perform essential behaviours, such as scratching, dustbathing, and roosting;
- c) is kept in good repair and sanitary condition, and free from wildlife, including rodents, and obnoxious smells and substances; and
- d) is constructed so that it is secure from other animals.

10.5 The owner must ensure:

- a) the area surrounding the backyard hen enclosure is completely fenced;
- b) all chicken feed is secured in airtight containers that cannot be penetrated by wildlife, including rodents; and
- c) that no chickens are slaughtered within the Town.

**4. FORCE AND EFFECT**

That upon adoption of this bylaw, Bylaw No. 1052-2021, the Town of Lake Cowichan Animal Control Bylaw No. 1019-2021 shall hereby be amended and take effect.

READ A FIRST TIME on the 23<sup>rd</sup> day of February, 2021.

READ A SECOND TIME on the 23<sup>rd</sup> day of February, 2021.

READ A THIRD TIME on the 23<sup>rd</sup> day of March, 2021.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the \_\_<sup>th</sup> day of \_\_\_\_\_, 2021.

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 Bob K. Day  
 Mayor

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 Joseph A. Fernandez  
 Corporate Officer

