Towards a Backyard Hen Bylaw in Winnipeg

A Summary report by "Chickens for WinnipEGGers" to
Leland Gordon, Chief Operating Officer, Winnipeg Animal Services

Prepared by Ken MacDonald
November 14, 2012
Contact: (204) 786-3165 • rotaryvalve@gmail.com

Dear Mr. Gordon,
Thank you for agreeing to meet with representatives from our group. As a basis for our conversation, we are pleased to provide you with this summary of our findings. We can provide you with further details and references for each section upon request. A more detailed report is also attached.

Introduction

"Chickens for WinnipEGGers", with over 800 members in our Facebook group, is petitioning City Council to allow hens to be kept in Winnipeg backyards for the purpose of egg production. We recognize that there are many stakeholders in this process. It is our intention to hear, acknowledge, and address any concerns they may have. Our Steering Committee is actively researching the best practices in jurisdictions that allow backyard hens. We want to ensure that backyard hens will be kept safely and enjoyably for all concerned.

Safety

Over 85 North American municipalities currently allow the raising of backyard chickens. Our research shows that backyard hens can easily be kept in conditions that meet the highest standards set forth in the Poultry Layers Code of Practice, published by the National Farm Animal Care Council. This Code has no enforcement provisions, so any Bylaw that regulates the care of hens could in practice provide a higher assurance of chicken safety. The Canadian Food Inspection Agency recognizes that backyard flocks can provide a safe source of eggs, and publishes resources for owners.

Animal Services' Experience in Other Jurisdictions

Our group has researched the experiences of Animal Services departments in several other municipalities that allow chickens. These departments do not report a significantly higher workload as a result of chickens being allowed in their regions (under 0.4 percent in all cases). Officers have been uniformly supportive of their programs.

Research suggests that amending the current Pound Bylaw might be the most effective approach. Articles clarifying the minimum requirements for the keeping of hens for eggs, and enforcement provisions, will allow for ample regulation and cost recovery. Our report is attached to this document.

Chickens are Good Neighbours

Our research shows that where hens are allowed, neighbors are supportive, and are not inconvenienced either by excessive sound levels or smell. A 2010 pilot henkeeping project in Moncton independently verified these findings.

Economic Impact

There are many local businesses that will excel in providing urban chicken owners with quality supplies and information. We are connecting with feed supply businesses, farmers, breeders, and others who can profit from this initiative.

Providing Solutions

Our group is committed to providing hen owner peer support and resources. We recognize that chickens in an urban setting require care at all stages of their life, which the average citizens may require education and assistance to provide.

Annual Fall Slaughter Program

Chickens for WinnipEGGers have had preliminary discussions with several small-scale farmers who currently process their own poultry each fall on their own property outside the city limits. There have been several offers to host an annual fall slaughter program for elderly hens. This could be managed by the farms themselves to host a workshop on how to slaughter and process chickens for a fee. Very elderly birds could also be euthanized and composted at these workshops.

Administering Lost or Confiscated Poultry

Aurora Farm, (www.aurorafarm.ca) a 160-acre livestock and crop farm within the city limits, has offered to build a facility for the temporary housing and short-term quarantine of poultry that have been found or confiscated by Animal Services. A voluntary re-homing program will also be established for unwanted poultry.

Support Systems for Chicken Owners

Chickens for WinnipEGGers has a website presence that is informative and supports all aspects of backyard hen care and management. Trained volunteers could further that support by providing online question and answer forum and site visits to potential new hen owners. This forum could also provide connections to breeders, “chicken-sitters” and veterinarians who specialize in birds.

SUMMARY

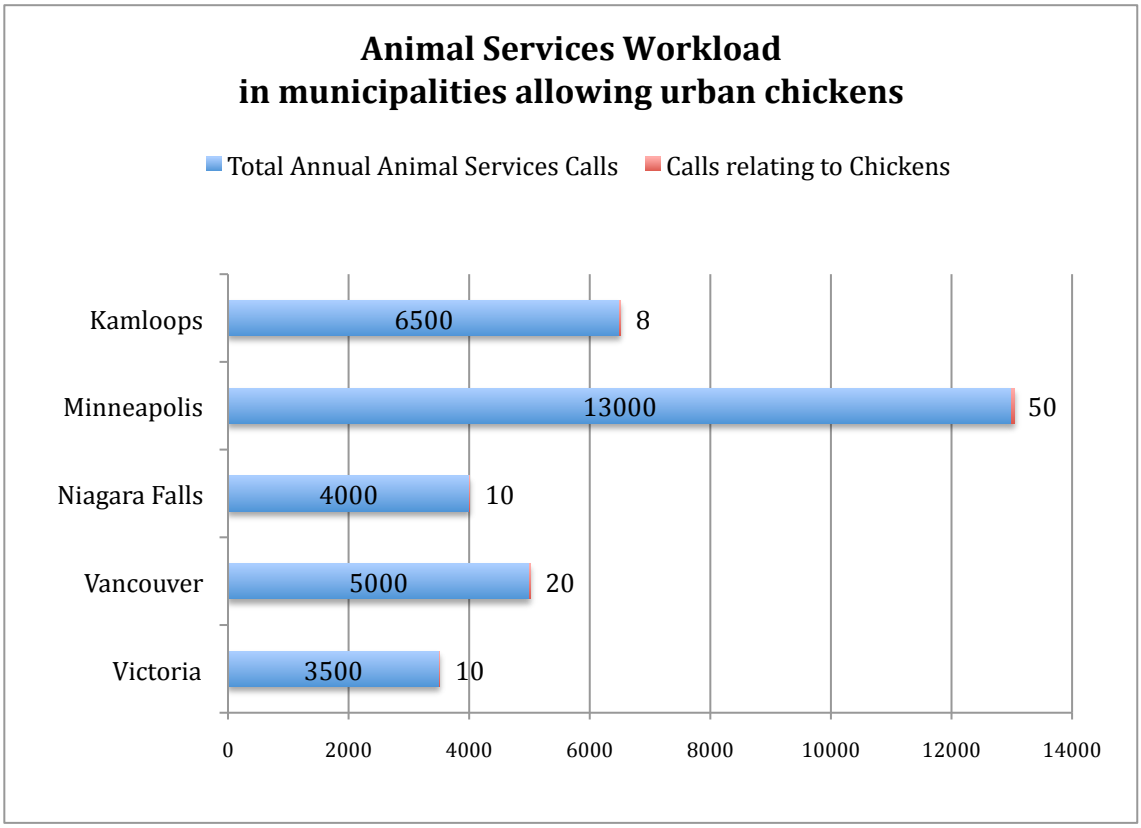
As you can tell, we are passionate and enthusiastic about urban chicken ownership! We believe that this will have a positive effect on our city as it has many others. Chickens for WinnipEGGers would like to offer Animal Services our assurance that we will continue to work with your department as required, if hens are allowed in Winnipeg. We would like to ask for your support of this initiative.

Animal Services and Urban Chickens
A Report for Chickens for WinnipEGGers
By Trevor Kirczenow
November 2012
Contact: violin_cowboy@yahoo.com

How are Animal Services Agencies impacted in municipalities where backyard hens are permitted?

We gathered the opinions of Animal Services employees in many Canadian and American municipalities where hens are permitted. We wanted to identify problems, and potentially avoid them in Winnipeg.

The chart below shows the total number of calls handled by municipalities in the last year and the number that relate to chickens. These are estimates by the employees and not audited figures. In all cases the figure is less than half of one percent of their workload. It's worth noting that the most memorable chicken-related calls to these officers were not due to backyard poultry. For example, high school students released eight factory-farmed hens in downtown West Vancouver as a prank. In Victoria, several were thrown into an office window at the Provincial Legislature. None of these hens were found to come from backyard flocks, and were released to local farmers.



West Vancouver is not listed in the chart because the figures require an Access To Information search. However, the SPCA there reports that they have had no cases referred to them where chickens were confiscated due to mistreatment.[i] In Olympia, Washington, their Code Enforcement department reported in 2009 that in over six

years of their backyard hen program, they had received “five or less” complaints per year.[ii]

CAPITAL COSTS TO MUNICIPALITIES

We asked employees what facilities had to be built or maintained by Animal Services especially because of chickens being permitted in their municipalities. This was a deal-breaker in London, Ontario, which turned down an initiative in 2011 to allow urban hens. London’s Animal Welfare Advisory Committee informed their Council that Vancouver “had to invest $20,000 to build housing for chicken rescue purposes”. They said this had deterred Calgary from initiating a program, too.[iii]

However, Vancouver has not spent any of that money. Sarah Hicks, their Animal Services Manager, says, “We did ask for money to be set aside when the by-law was implemented [in 2010] just in case we needed a designated chicken location. So far we have not needed special space…. We have not added any additional resources.”[iv]

No municipality reports needing special resources or facilities to deal with chicken problems. In Kamloops, Bylaw Officer Raj Gill "One time, there were three roosters that nobody took ownership of. We put them in a multipurpose room and then called a farmer. We keep a rolodex of people that we'd call if there was a problem."[v]

Likewise, West Vancouver has a completely walled indoor dog iso-kennel they could use as a holding area prior to relocation. They also use the space for other problems such as pregnant dogs, and two 350-pound pigs they confiscated.[vi] Occasional multipurpose space seems to be adequate for animal-control needs pertaining to chickens.

BYLAW VARIATIONS AND EFFECTIVENESS

Municipalities deal with backyard hens in a variety of ways ranging from fairly casual to highly regulated.

In Victoria, there is no bylaw governing urban chickens, which have been allowed since the 1970s. Any number of hens are allowed, as long as they are kept for eggs, for consumption by the residents. Ian Fraser, their Senior Animal Control Officer, reports that his department can use their pound bylaw to deal with any problems such as trespassing (if a hen gets out of its enclosure) or unsanitary conditions. He feels that municipalities can simply use their existing animal control bylaw as long as it covers all animals, not just dogs and cats.

Winnipeg’s current Pound Bylaw 2443/79 does specifically cover trespass of fowl and any resulting damages, and allows for recovery of “any expenses to which the City may be put”.[vii] Officer Fraser suggests that any cost-recovery fees should take into consideration that it may take more time to apprehend poultry than dogs: “It most likely takes more than one officer. You can lure a dog with a treat, but birds can fly, and can make a fool out of anyone trying to get them.”

Officer Fraser added that “coops should be better than a hockey net on a piece of plywood.” Predators such as wild mink can be a hazard for backyard flocks in

Victoria. He felt that a bylaw giving minimum coop standards would adequately address concerns.[viii]

We learned that over-regulation can lead to problems. In Minneapolis, Animal Control Officer John reports, “By statute, we have to do have a pre-inspection of the coop, and we do an annual follow-up check, which are lower priority calls, and those are time consuming. It would streamline the process if we could just do yearly checks on problem coops.”[ix]

A Bylaw (or amendment to a current Bylaw) that specifies a certain number of hens and the quality of their upkeep would place no particular burden upon our Animal Services department, as long as onerous obligatory inspection measures are not also in place.

Vancouver meets these challenges with a streamlined online chicken registration and concise wording within their Animal Control Bylaw that addresses hens’ minimum needs.[x] This method seems the most elegant and effective. These examples are attached to this report.

CHICKENS MAKE GOOD NEIGBOURS

Moncton, New Brunswick, is another community that was cautious to allow hens. In 2009 and 2010 they permitted a test coop as part of a study that measured the impact on the surrounding neighbourhood. An independent survey registered no complaints. Survey respondents reported no unusual predators, noises, or smells.[xi] 50% of respondents felt the project was “a resounding success”, and 29% more called it a “success” as long as the city imposes a regulatory framework to govern the keeping of chickens within city boundaries. 14% provided no answer and 7% were undecided, and nobody judged the project a failure. The city is now going ahead with a municipal bylaw allowing hens.[xii]

IN THEIR OWN WORDS: ANIMAL SERVICES EMPLOYEES

All the Animal Services employees we contacted are positive and even enthusiastic supporters of backyard flocks in their municipalities.

Jay Desrochers, Executive Director, Niagara Falls Humane Society: "Ever since the bylaw has been introduced several years ago, there hasn't been a problem. We seem to be able to work with the animal owners to resolve any problems, like the size of their coops or the number of hens. ***We have had pretty good success, I'd say.*** *It's very few calls we receive about problems, maybe ten out of several thousand. It's almost nonexistent.* ***The bylaw has actually helped prevent problems we had in the past, to be honest.****"*[xiii]

Raj Gill, Bylaw Officer, Animal Control, Kamloops: "We're at 6500 calls for the year so far. We don't even get ten calls a year about chickens.”

Victoria Simpson, Pound and Adoption Specialist, Victoria: She says that the backyard hens are “A very minimal part of our work, almost nothing at all, maybe five calls a

year. Sometimes a chick will turn out to be a rooster and we'll get a complaint from a neighbour before the owners have dealt with it."[xiv]

John, Animal Control Officer, Minneapolis: "We generally don't have a lot of problems. The most common complaint is roosters, which we do allow though a permit process, with 80 percent of the neighbours consenting within 100 feet of the property line. Generally we don't have complaints; it's not a problem. Very, very rarely do we get complaints about mistreatment. It's pretty low on our priority list. ***There were more problems when we didn't have a bylaw in place.*** *Off the top of my head we get maybe fifty calls a year out of 12 or 13 thousand.* ***It's been very popular."***

Georgia Sabol, Code Enforcement, Olympia, Washington: ***"...We in code enforcement were not keen on the chickens being allowed. However, that attitude has completely changed."***[xv]

Summary

Residents of many municipalities have enjoyed success in maintaining backyard hens. Programs seem to be revenue-neutral or minimally revenue-positive, with enforcement cost recovery options available through the existing pound bylaw. Animal Services employees in many of these areas agree that with proper guidelines in place, there is very little increase in their workload. The Officers we contacted were all very positive about urban hens in their jurisdictions.

An Example of management: Vancouver's online hen registry and educational resources

http://vancouver.ca/people-programs/backyard-chickens.aspx



CITY OF VANCOUVER

Areas of the city ▾ Google site search

Green Vancouver | Your Government | News, Calendar | Parks, Recreation, and Culture | Home, Property, and Development | People and Programs | Streets and Transportation | Doing Business

Home > People and Programs > Food > Growing food > Backyard chickens

People and Programs
- Housing and homelessness
- Building community
- Grants and awards
- Food
  - Growing food
    - Community gardens
    - Sharing garden spaces
    - Gardening naturally
    - Watering your garden and lawn
    - Gardening classes
    - Backyard chickens
    - Beekeeping
    - Urban agriculture guidelines
  - Street food vending
  - Sustainable food and groceries
  - Food systems and security
  - Vancouver's food strategy
  - Developing food policy
  - Vancouver Food Charter
  - Food safety
  - Safe drinking water
- Public health and social issues
- Donating and volunteering

SHARE

Learn the rules for backyard chickens, and register your chickens with the City

As part of City efforts to help you get involved in your own food production, you can now keep chickens in your backyard.

There are several important rules you need to comply with in order to keep your backyard chicken coop from being a nuisance for your neighbours:

- A maximum of 4 hens (no roosters), 4 months or older, per lot is allowed
- Ducks, turkeys, or other fowl or livestock (such as goats) are not allowed
- Eggs, meat, and manure cannot be used for commercial purposes
- Backyard slaughtering is not allowed

Steps to keeping backyard hens

There are three steps to follow if you want to keep chickens in your backyard:

1. Review the City bylaws.
2. Learn how to care for hens.
3. Register your hens with the City.

Step 1: Review the City bylaws

The City bylaws explain all of the rules and requirements for keeping backyard hens, including the size and location of your coop, and other important details.

These bylaws both protect the health of people living in the area, and ensure the hens are treated humanely:

- Animal Control Bylaw
- Zoning and Development Bylaw

Step 2: Learn how to care for hens

Next, you should read the following basic hen care documents before getting your hens:

- How to prevent and detect disease in backyard flocks and pet birds
- Basic hen care and chicken coop design requirements
- Humane considerations for backyard hens
- Resources for backyard hen owners

Step 3: Register your hens with the City

After you review the basic care documents and zoning regulations - and you build your coop - you can go ahead and purchase your hens.

Once the hens are purchased, you need to register your hens with the City. Registration is free, and you can do it online.

Register your hens

Ask. Tell. Connect.

Phone 3-1-1

Outside Vancouver: 604-873-7000

Speak your own language

9-1-1 Emergencies | 7-1-1 TTY

More ways to contact us →

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Contact the Food Policy team

For questions on supporting the local food system, contact the Food Policy team at foodpolicy@vancouver.ca.

Concerned about backyard chickens?

If you are concerned about backyard chickens, contact Animal Control at 3-1-1.

Animal Control staff will be able to help you with such concerns as:

- Pests, insects, or wildlife drawn by the backyard chickens
- Noise or smell from the chickens
- Chickens that are injured, abandoned, stray / at large, or neglected
- The owner is not registered for Backyard Chicken Program
- The number of chickens exceeds bylaw guidelines
- The chickens are not being cared for according to the guidelines

Last modified: Thu, 19 Jul 2012 15:15:12

Areas of the city

Arbutus, Cedar Cottage, Champlain Heights, Chinatown, Coal Harbour, Collingwood, Commercial Drive, Creekside, Downtown, Downtown Eastside, Dunbar, Fairview, False Creek North, False Creek South, Fraser, Fraserview, Gastown, Grandview, Granville Island, Hastings, Hastings Crossing, Hastings East, Hillcrest, Kensington, Kerrisdale, Killarney, Kitsilano, Knight, Langara, Little Mountain, MacKenzie Heights, Main, Marpole, Mole Hill, Mount Pleasant, Musqueam, Oakridge, Point Grey, Quilchena, Renfrew, Riley Park, Shaughnessy, South Cambie, South Granville, South Hill, South Vancouver, Southlands, Southwest Marine, Strathcona, Sunrise, Sunset, West Broadway, West End, Woodland, Yaletown

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Excerpt from Vancouver Animal Control Bylaw 9150
http://vancouver.ca/your-government/animal-control-bylaw.aspx

Excerpt from Section 7 – Regulation of Animals

7.15 **Registration of hens**
A person must not keep a hen unless that person first registers with the city: (a) electronically by:
(i) accessing the city's animal control computer website at *http://vancouver.ca/animalcontrol*,
(ii) accessing the link from that website to the on-line registry at *http://vancouver.ca/commsvcs/licandinsp/animalcontrol/chicken/inde x.htm*,
(iii) reading the information on keeping hens at the on-line registry site,
(iv) completing the application at the on-line registry site including the following mandatory fields:
(A) the date,
(B) the person's name, address and postal code,
(C) confirmation that the person resides on the property where he or she will be keeping hens,
(D) confirmation that the person has read the information referred to in clause (iii), and
(v) submitting the application to the on-line registry site; or - 10 -(b) by requesting, by telephone to 311, the mailing to that person of the information on keeping hens and an application form, and by:
(i) reading such information,
(ii) completing the application including the mandatory fields referred to in subsection (a)(iv), and
(iii) submitting the completed application to the city;
and such person must promptly update, and provide to, the city any information given when any change occurs."

Keeping of hens
7.16 A person who keeps one or more hens must:
(a) provide each hen with at least 0.37 m2 of coop floor area, and at least 0.92 m2 of roofed outdoor enclosure;
(b) provide and maintain a floor of any combination of vegetated or bare earth in each outdoor enclosure;
(c) provide and maintain, in each coop, at least one perch, for each hen, that is at least 15 cm long, and one nest box;
(d) keep each hen in the enclosed area at all times;
(e) provide each hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the hen in good health;
(f) maintain each hen enclosure in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
(g) construct and maintain each hen enclosure to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
(h) keep a food container and water container in each coop;
(i) keep each coop locked from sunset to sunrise;
(j) remove leftover feed, trash, and manure in a timely manner;
(k) store manure within a fully enclosed structure, and store no more than three cubic feet of manure at a time;
(l) remove all other manure not used for composting or fertilizing; - 11 -

(m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency;
(n) keep hens for personal use only, and not sell eggs, manure, meat, or other products derived from hens;
(o) not slaughter, or attempt to euthanize, a hen on the property;
(p) not dispose of a hen except by delivering it to the Poundkeeper, or to a farm, abattoir, veterinarian, mobile slaughter unit, or other facility that has the ability to dispose of hens lawfully; or
(q) not keep a hen in a cage.

Chickens in an urban setting
Georgia Sabol <gsabol@ci.olympia.wa.us>
Thursday, March 12, 2009 7:51:06 AM
To:"salemchickens@yahoo.com" <salemchickens@yahoo.com>

Our city council decided to allow hens in the City of Olympia six or seven years ago. As I said over the phone, it would be difficult to go back and find out exactly how many chicken complaints per year prior to allowing them. I am sure that since hens are allowed we have fewer complaints, I'd say five or less per year. The complaints are mostly about roosters crowing. We've had several complaints about someone having too many hens.

I believe that we now receive fewer complaints because the "chicken advocates" were good about educating new owners care of their hens. It seems that we never get complaints about hens out wondering loose anymore. Good fences (pens) do make good neighbors.
I also should mention that we in code enforcement were not keen on the chickens being allowed. However, that attitude has completely changed.

Georgia Sabol
Code Enforcement Officer
Community Planning & Development
360-753-8393

CITY OF
PORTLAND, OREGON
OFFICE OF PUBLIC SAFETY

Randy Leonard, Commissioner
1221 S.W. 4th Avenue, Room 210
Portland, Oregon 97204
Telephone: (503) 823-4682
Fax: (503) 823-4019
randy@ci.portland.or.us

November 19, 2008

Mayor Taylor and Members of the Salem City Council
555 Liberty St SE, Room 220
Salem, OR 97301

Dear Mayor Taylor and Members of the Salem City Council,

The City of Portland has allowed its residents up to 3 hens per property for many years. To my knowledge, we have not experienced any significant problems relating to reduced property values or threats to public health as a result of the hens co-existing with city residents.

Citizens of Portland enjoy having chickens as pets as well as the eggs they provide. As a City Commissioner, I feel it is important to provide this option to our citizens and see no reason why the citizens of Salem should not enjoy the same opportunity.

I have reviewed the proposed amendment drafted by citizens of Salem and find it fair and reasonable.

Given the current economic conditions and the growing trend to live a more sustainable lifestyle, keeping a few backyard hens has never been more practical. Thus, I urge you to adopt the proposed amendment to allow Salem residents to enjoy this privilege.

If I can help address your concerns or help in any way, please feel free to contact me.

Respectfully,

Commissioner Randy Leonard

NOTES

[i] Telephone interview by Ken MacDonald with Lisa, Animal Care Attendant, West Vancouver SPCA. November 5, 2012.
[ii] Email to Salem Chickens from Georgia Sabol, Code Enforcement Officer, Community Planning & Development, City of Olympia, Washington. March 12, 2009. Accessed November 6, 2012 at https://www.facebook.com/download/440103626049202/Salem%20Chickens%20-%20Research_Packet_Sept_2010.pdf
[iii] http://council.london.ca/meetings/Archives/Reports%20and%20Minutes/Community%20and%20Neighbourhoods/CNC%20Reports%202011/2011-08-16%20Report/The%2014th%20Report%20of%20The%20Community%20and%20Neighbourhoods%20Committee.pdf
[iv] Email to Ken MacDonald from Sarah Hicks, Manager, Animal Control, City of Vancouver Licences & Inspections, Animal Services Branch. November 2, 2012.
[v] Telephone interview by Ken MacDonald with Raj Gill, Bylaw Officer, Animal Control, City of Kamloops. November 5, 2012.
[vi] Telephone interview by Ken MacDonald with Lisa, Animal Care Attendant, West Vancouver SPCA. November 5, 2012.
[vii] Winnipeg By-law 2443/79, sections 7, 13, 14. Accessed 6 November, 2012 at http://www.winnipeg.ca/CLKDMIS/DocExt/ViewDoc.asp?DocumentTypeId=1&DocId=428&DocType=C
[viii] Telephone interview by Ken MacDonald with Ian Fraser, Senior Animal Control Officer, Victoria Animal Services. November 5, 2012.
[ix] Telephone interview by Ken MacDonald with John [last name withheld], Animal Control Officer, City of Minneapolis. November 2, 2012.
[x] Vancouver Animal Control Bylaw 9150. http://vancouver.ca/your-government/animal-control-bylaw.aspx
[xi]https://www.google.com/url?q=http://archives.nben.ca/environews/media/mediaarchives/11/March/Rapport_Ferme_urbaine%2520_ENG__18-01-11X.pdf&sa=U&ei=tMiZULbXOYyDrQH28YHoCw&ved=0CBgQFjAI&client=internal-uds-cse&usg=AFQjCNGT8nB76CmGZQtdWuWUXGN1EUrjWw
[xii] http://www.cbc.ca/news/canada/new-brunswick/story/2012/07/26/nb-urban-farm-delays-951.html
[xiii] Interview by Ken MacDonald with Jay Desrochers, Executive Director, Niagara Falls Humane Society, November 2, 2012.
[xiv] Telephone interview by Ken MacDonald with Victoria Simpson, Pound and Adoption Specialist, Victoria, BC. October 29, 2012.
[xv] Email to Salem Chickens from Georgia Sabol, Code Enforcement Officer, Community Planning & Development, City of Olympia, Washington. March 12, 2009.