

THE CORPORATION OF THE TOWNSHIP OF JAMES

BY-LAW 26-13

BEING A BY-LAW TO REGULATE THE KEEPING OF LIVESTOCK WITHIN THE TOWNSHIP OF JAMES

WHEREAS Section 8 through 11 of the Municipal Act, S.O. 2001, c. 25, as amended, confers broad authority on a Township to govern its affairs as it considers appropriate and to pass by-laws to regulate or prohibit matters within its jurisdiction

AND WHEREAS the Municipal Council deems it desirable to regulate the keeping of livestock within the Municipality in the interest of public health, safety, and the general welfare;

WHEREAS under Section 436 of the Municipality Act, 2001, an officer may enter onto and across any lands, at any reasonable time, without a warrant to conduct an investigation or inspection to ensure the provisions of this By-law are being complied with;

AND WHEREAS section 391 of the Municipal Act enables a municipality to pass a by-law imposing fees or charges for services or activities provided or done by or on behalf of it

AND WHEREAS Section 425(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws providing that a person who contravenes a by-law the municipality passed under the Act is guilty of an offence;

AND WHEREAS Section 429(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may establish a system of fines for offences under a by-law of the Municipality passed under the Act;

THAT the Clerk of the Township of James is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-law and schedule, after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

NOW THEREFORE the Council of the Township of James enacts as follows:

THAT this By-law may be cited as the "Livestock By-law."

1. DEFINITIONS

In this By-law:

"Livestock" means any animal commonly kept for agricultural purposes, including but not limited to cattle, horses, ponies, mules, donkeys, sheep, goats, swine, llamas, alpacas, ostriches, emus, ducks, geese, turkeys, rabbits raised for commercial purposes, and poultry, **except hens permitted under this By-law.**

"Owner" means any person who owns, possesses, harbours, or has care or control of an animal.

"Hen" Means a domesticated female chicken.

"Lot Line" means the boundary line between adjoining properties and or the boundary line between a property and a *highway*, laneway, municipal sidewalk or municipal road allowance.

2. GENERAL PROVISIONS

This By-law shall be enforced by an Animal Control Officer, By-law Enforcement Officer or Police Officer.

3. REGULATIONS – LIVESTOCK

3.1 NO LIVESTOCK other than hens may be kept.

4.REGULATIONS – HENS

4.1 A *person* shall only keep three (3) or less *hens* on a *premise* zoned 'residential' within the built-up area of the *Township of James* provided such *person* ensures that:

- a) the *hens* are confined in either a *hen coop* or *hen run*; and the *hens* are kept in the *hen coop* between 9:00 p.m. and 6:00 am;
- b) the *owner* of the *hens* resides on the property where the *hens* are kept;
- c) each *hen* is provided with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting, all sufficient to maintain the *hen* in good health

4.2 Any *Hen Coop* or *Hen Run* which is erected, used or maintained for the housing of *hens* must not be:

- a) located in any front, side or flank yard;
- b) located at a distance of less than 12 meters from any store, shop, dwelling unit or apartment building not occupied by the owner,
- c) located at a distance of less than 15 meters from any school, church or business;
- d) located at a distance of less than 1.2 meters from the Lot Line.

4.3 Home slaughter of hens is prohibited and any deceased hens shall be disposed of at a livestock disposal facility or through the services of a veterinarian or Animal Control Officer.

4.4 No owner shall cause or permit his or her hen to be at large.

4.5 No person shall keep a rooster.

4.6 Rental properties require written permission from the owner

4.7 Multi-residential properties such as apartments are not permitted to have chickens

4.8 All other by-laws will still apply, for example, animal control, property standards, clean yards

5. ENFORCEMENT

5.1 This By-law may be enforced by a Municipal Law Enforcement Officer, Animal Control Officer, or any person appointed by Council for that purpose.

5.2 An Officer may enter onto property at any reasonable time, in accordance with applicable legislation, for the purpose of determining compliance with this By-law.

6. OBSTRUCTION

6.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.

6.2 Any person who has been alleged to have contravened any of the provisions of this By-law shall identify themselves to the Officer upon request; failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of his duties

6.3 Every person shall comply with any Order or Notice issued under the authority of this bylaw.

7. PENALTY

7.1 Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

7.2 In addition to any other remedy available to the Municipality, every person who contravenes a provision of this By-law is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000.

7.3 Sections 4.1, 4.1a, 4.4, 4.5 and 6.3 of this bylaw are deemed continuing offences pursuant to subsection 429(2) of the Municipal Act. For additional clarity, this means that a separate penalty may be imposed for any offence committed contrary to these sections that continues for each day that the offence continues.

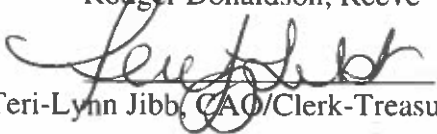
8. FINE

Item	Short form wording	Provisions creating or defining offence	Set fine
1	Owner keeps more than the allowable number of hens.	Sch. A, Section 4.1	\$100
2	Owner fails to confine hens in coop between 9:00 pm and 6:00 am.	Sch. A, Section 4.1 a	\$100
3	Allow hen to be at large	Sch. A, Section 4.4	\$100
4	Person keeps a rooster	Sch. A, Section 4.5	\$100
5	Fail to comply with an order or notice	Sch. A, Section 6.3	\$100

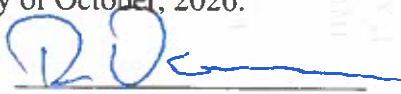
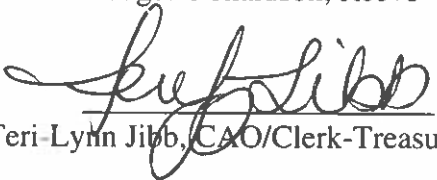
EFFECTIVE DATE

This by-law comes into effect upon the date of passage.

READ A FIRST AND SECOND TIME on the 14th day of October, 2026.


Rodger Donaldson, Reeve

Teri-Lynn Jibb, CAO/Clerk-Treasurer

READ A THIRD TIME and finally passed on the 14th day of October, 2026.


Rodger Donaldson, Reeve

Teri-Lynn Jibb, CAO/Clerk-Treasurer