THE TOWN OF STEPHENVILLE
URBAN HEN AND QUAIL REGULATIONS

1. These Regulations may be cited as the Stephenville Urban Hen and Quail Regulations.

2. For the purpose of these Regulations:

(a) “At large” means, in the case of a hen or quail being outside a coop or hen run;

(b) “Town” means the Town of Stephenville;

(c) “Coop” means a fully enclosed weatherproof building in which hens or quails are kept and which the interior thereof includes nest boxes for egg laying, perches, for the hens or quails to sleep on and food and water containers;

(d) “Council” means Stephenville Town Council;

(e) “Hen” means a domesticated female chicken that is at least four months old;

(f) “Hen/Quail Run” means a covered secure enclosure that allows hens or quails access to the outdoors;

(g) “Impounder” means the person or persons appointed and authorized by Council to impound animals pursuant to the Municipalities Act and these Regulations and to carry out such other acts as are prescribed by these Regulations, and includes any person designated as an animal control officer;

(h) "Inspector" means any Impounder and any Officer appointed by Council to act as an Inspector under these Regulations;

(i) "Occupant" of any property means a person who
   (i) owns the property;
   (ii) resides at the property;
   (iii) conducts business at the property;
   (iv) is in physical possession of the property; or
   (v) has responsibility for, and control over, the condition of the property, the activities conducted on the property and the persons allowed to enter the property;

For purposes of these Regulations there may be more than one occupant of the same property;
(j) Owner includes any person who possesses, harbours, or keeps a hen or quail, and where the owner is a minor, includes the person who is responsible for the custody of the minor.

(k) “Quail” means a domesticated form of the quail, a collective name which refers to a group of several small species of fowl.

GENERAL PROHIBITIONS

3. No Occupant of a property or Owner in the Town shall keep or allow any Hen or Quail on any property within the Town without a permit issued by Council.

4. No Occupant of a property or Owner in the Town shall keep or allow any Hen or Quail in the Town except in the manner as provided in these Regulations and except in accordance with any conditions prescribed on a permit issued to the Occupant or Owner for the keeping of a Hen or Quail.

5. No Occupant or Owner shall keep any roosters.

6. No Occupant or Owner shall keep any female chickens or quail that are younger than four (4) months old.

7. No Occupant or Owner shall keep more than four (4) Hens or twelve (12) Quail on a property within the Town. If a mix of hens and quails are kept, it will be on the basis of one (1) Hen being equivalent to three (3) Quails.

8. No Occupant or Owner shall keep or allow a Hen or Quail to be kept on any property within the Town unless the Occupant or Owner resides on that property.

PERMITS

9. No Occupant or Owner shall keep a Hen or Quail in the Town unless:
   (i) A permit fee has been paid to the Town and a permit has been issued by Council for the keeping of Hens or Quails on the property on which the Hen or Quail is to be kept;
   (ii) A license fee of $20.00 has been paid to the Town and a license has been issued by Council for the keeping of Hens or Quails; and
   (iii) The permit and license are still in force and the coop bears a permit issued by Council indicating that such license is in force for the current year.

10. Every permit and license issued pursuant to these Regulations shall expire on the 31st day of December next after the date of issuance and shall be non-transferrable between property owners and is non-refundable.
11. The permit and license fees shall be prescribed by Council each year in its annual budget and shall not be reduced or remitted for any cause including the death, loss of or removal of a Hen or Quail from or by the Town after the date of issuance.

12. Upon payment of the permit fee by the Owner or Occupant, the Town shall issue a permit which the Owner or Occupant shall visibly display on the Coop or Hen/Quail Run.

CONTROL OF ANIMALS

13. No Occupant or Owner shall permit or allow a Hen or Quail to stray or be at large.

14. Hens and quails must be kept in a Coop between the hours of 9:00 p.m. and 6:00 a.m.

15. Hens and quails must be kept in a Hen/Quail Run when not in their Coop.

BUSINESSES PROHIBITED

16. No person shall establish or carry on any business or institution involving the boarding, keeping, or treating of Hens or Quails, or sale of eggs, manure, or other products associated with the keeping of Hens or Quails.

COOPS & HEN/QUAIL RUNS

17. Coops and Hen/Quail Runs shall not be placed in any front yard or side yard.

18. Coops and Hen/Quail Runs shall not be placed a distance of less than one (1) metre from the rear or side property boundary lines.

19. Coops and Hen/Quail Runs shall not be placed in a front yard or within seven (7) metres of a front property boundary line or street reservation.

20. Coops and Hen/Quail Runs shall not be placed within three (3) metres of any window or door of a residential dwelling located on a neighboring property.

21. Coops and Hen/Quail Runs shall not be placed on any easements or right of ways.

22. The combination of Coops and Hen/Quail Runs on a property shall not be any smaller than four (4) square metres nor any greater than ten (10) square metres;

23. Coops and Hen/Quail runs shall not be visible from the road or to any other person other than the person who holds the permit for the Hens or Quails and shall be enclosed with a 6-foot high fence.
24. The Coop shall be constructed with modern construction and be weather tight, vermin resistant and able to be heated in winter months. The exterior of the coop shall be compatible with the exterior of the dwelling.

SANITATION

25. No person shall keep a Hen or Quail that, in the opinion of the Impounder, is exhibiting behavior or symptoms of illness that threaten the health and/or safety of persons or animals.

26. Hen/Quail Runs and Coops shall be maintained in a clean condition, free of noxious odours, substances and vermin.

27. Hen/Quail excrement shall be contained and disposed of in compliance with the Town of Stephenville Anti-Litter Regulations and any similar or successor Regulations.

28. Hens and Quails shall not be slaughtered on any property within the Town that has not been zoned by the Town for agricultural use.

29. Hens and Quails shall be provided with clean, fresh drinking water, nesting materials and food of sufficient quantity and quality so as to allow for normal, healthy growth and the maintenance of normal, healthy body weight.

30. Food and water for Hens and Quails shall be kept in receptacles that avoid contamination by excreta.

31. Hens and Quails shall be either destroyed or provided veterinary care when ill.

32. Coops and Hen/Quails Runs shall be cleaned, including removal of excrement, on a daily basis.

33. No Owner or Occupier shall allow a Hen or Quail to be kept in an unsanitary condition. Conditions shall be considered unsanitary where, in the opinion of the Impounder, the keeping of the Hen or Quail results in an accumulation of fecal matter, an odor, insect infestation or rodent attractants which endanger the health of the Hen, Quail or any animal or person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any person in or about their dwelling or property.

34. Where there is a conflict between the standards set out in these Regulations and the Animal Health and Protection Act, SNL 2010, c. A-9.1 and any regulations enacted thereunder, the Occupancy and Maintenance Regulations (Newfoundland and Labrador Regulation 1021/96), or any other applicable legislation, the highest standard for protection of the health and well-being of hens and quails and for the use and enjoyment of persons property shall prevail.
IMPOUND OF HENS AND QUAILS

35. The Impounder may impound any Hen or Quail that is:
   (i) At large;
   (ii) Ill;
   (iii) Mistreated;
   (iv) Kept, housed, or maintained in a manner that is unsanitary; or
   (v) Is otherwise not in compliance with any of the standards set out in these Regulations.

36. The Impounder may release a Hen or Quail seized by the Impounder to the Owner or Occupant upon payment by the Owner or Occupant of impound fees, which impound fees shall be at the rates set by Council in its annual budget along with any additional expenses incurred by the Town in relation to the impounding of the Hen or Quail.

37. If a Hen or Quail that has been impounded by the Impounder is not claimed by, and released to the Owner or Occupant upon the payment of the fees and expenses payable pursuant to these Regulations within twenty four (24) hours of impounding, the Impounder may sell, give away, place for adoption, or otherwise dispose of, destroy or slaughter the Hen or Quail.

38. (a) In the event that a Hen or Quail that had been impounded is injured, sick or otherwise in need of medical attention the Impounder may arrange basic medical treatment necessary to minimize the pain and distress of the Hen or Quail or may immediately sell, give away, dispose of, destroy or slaughter the Hen or Quail.

(b) The cost of any medical treatment administered to a Hen or Quail and any impound fees and expenses pursuant to these Regulations are recoverable from the Owner and/or Occupant jointly and severally as a civil debt owing to the Town within thirty (30) days of an invoice for same having been issued by the Town and may be recovered from the Owner and/or Occupier even if the Owner and/or Occupier does not claim the Hen or Quail.

ENFORCEMENT

39. Where any person contravenes any provision of these Regulations, such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment in accordance with the Municipalities Act; and

40. The Impounder and all Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice.
IN FORCE

41. These Regulations shall come into force as of the date enacted by Council.