

**City of Port Colborne
Special Meeting of Council Agenda**

Date: Tuesday, June 17, 2025
Time: 5:00 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Pages

1. Call to Order
2. Adoption of Agenda
3. Disclosures of Interest
4. Closed Session (Beginning at 5:00 p.m.)
 - 4.1 Staff Reports
 - a. Consideration of Applications for the Niagara Regional Councillor Vacancy, 2025-129

Report 2025-129 pursuant to the Municipal Act, 2001, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.
5. Back to Open Session (Beginning at 6:30 p.m.)
6. Consideration of Applications for Regional Council Vacancy
7. Staff Reports
 - 7.1 Community Engagement on Backyard Chickens in the Urban Boundary, 2025-110 1
8. Procedural Motions
9. By-laws
 - 9.1 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne 48

10. Adjournment

Subject: Community Engagement on Backyard Chickens in the Urban Boundary

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2025-110

Meeting Date: June 17, 2025

Recommendation:

That Chief Administrative Officer Report 2025-110 be received; and

That Council direct staff to take no further action on permitting backyard chickens within the urban boundary.

Purpose:

This report presents Council with a comprehensive summary of public engagement activities and feedback gathered between March 26 and April 14, 2025, regarding the potential keeping of backyard chickens within Port Colborne's urban boundary.

Despite public feedback received, staff recommend maintaining the current by-law prohibiting backyard chickens. This recommendation is based on concerns related to animal welfare, public health and safety, enforcement challenges, and potential neighbourhood impacts such as noise, odour, and the attraction of predatory animals. Staff suggest these concerns outweigh the potential benefits of having backyard chickens within the urban boundary in Port Colborne.

Background:

On October 8, 2024, Council received a delegation requesting changes to City by-laws to permit backyard chickens within the urban boundary in Port Colborne. Currently, the City has three by-laws/policies related to the keeping of animals that do not allow the keeping of backyard chickens within the urban boundary:

- Appendix B - 4086/81/01 – Respecting the Keeping of Animals

- Appendix C – Farm Animal Policy and Procedures
- Appendix D – 4620/2/05 – Respecting the Keeping of Animals Amendment

On February 25, 2025, Council directed staff to implement public engagement activities regarding the keeping of backyard chickens within the urban boundary. At that meeting, Council requested that staff report back with a summary of results received from the public. This report provides a summary of the engagement activities and feedback received from the public between March 26 and April 14, 2025.

The engagement plan aimed to gather feedback from the community through an online and paper-based survey. The survey was designed to gather feedback from residents on the proposed keeping of backyard chickens within the urban boundary. It aimed to assess community interest, determine opinions on appropriate lot sizes, and identify any concerns related to backyard chickens. Additionally, the survey explored perceived benefits of owning backyard chickens and gathered input on potential licensing and inspection requirements for chicken owners.

The survey was distributed online and in paper format.

The detailed results and findings from the survey are provided in Appendix A of this report. In the interest of transparency, a full list of open-ended responses received in both the online and paper surveys will be posted on

www.portcolborne.ca/backyardchickens

Discussion:

Public engagement activities related to backyard chickens within the urban boundary launched on March 26, 2025.

Quick stats about the engagement activities to date:

- 1285 surveys were completed (1202 online and 83 paper)
 - City Hall: 23
 - Port Colborne Public Library: 31
 - Vale Health & Wellness Centre: 29
- 674 open-field comments to analyze and categorize
- Average time to complete the survey: 5 minutes (online survey)
- Estimated completion rate: 92% (online survey)

Detailed results from the survey and a summary of feedback collected is available in Appendix A of this report.

Overall, survey responses reflected considerable support for allowing backyard chickens within the urban area. 84% of respondents thought backyard chickens should

be allowed in the urban area, either with or without conditions. 81% of respondents stated they would be fully or somewhat supportive of their next-door neighbour keeping backyard chickens.

While there was a notable level of support for allowing backyard chickens in the urban area, concerns were also raised by other community members regarding potential impacts on neighbourhood health, safety, and quality of life.

Several common concerns were identified through the survey. The most frequently cited issue was the potential attraction of predatory wildlife and rodents. Other widely shared concerns included odours, sanitation or health risks, and the appearance or upkeep of chicken coops. Cleanliness and maintenance standards also emerged as a top priority.

Despite the level of support expressed through public feedback, staff are recommending that Council uphold the existing by-laws prohibiting backyard chickens within the urban area. While respondents identified potential benefits, such as local food production and sustainable living, staff suggest these are outweighed by concerns related to animal welfare, public health, enforcement challenges, and neighbourhood impacts.

Staff acknowledge the value of community engagement, and the perspectives shared. The complexities and risks identified at this time suggest that permitting backyard chickens in residential zones is not advisable. If Council agrees, the issue may be revisited in the future should circumstances change, such as the introduction of stronger regulatory frameworks or regional alignment.

Should Council decide not to endorse staff's recommendation, Council could direct staff to pursue the preparation of a by-law permitting the keeping of backyard chickens within Port Colborne's urban boundary, subject to specific conditions that address concerns raised by Public Health and survey respondents, to be considered as part of the upcoming review of the City's Comprehensive Zoning By-law in 2027.

Based on the feedback received from the backyard chicken engagement process, including considerations for lot size, staff recommend that including this matter in the Comprehensive Zoning By-law work plan would be the most efficient path toward developing a by-law to regulate backyard chickens in the urban area.

However, there would still be the issue of residents who currently have backyard chickens within the urban area. To address this, Council could direct staff to prepare a short-term use by-law that would permit residents who currently keep backyard chickens inside the urban boundary to continue doing so without penalty until the Zoning By-law is updated in 2027.

If this direction was provided to staff, this short-term solution would be in effect for two years. It would be recommended to apply exclusively to residents who currently keep

backyard chickens within the urban boundary and would not allow for residents to introduce new chickens during this period.

The short-term use by-law would be enforced on a complaint basis and Council could choose to repeal or adjust the by-law at any time to accommodate new factors or considerations. Implementing and enforcing a short-term use by-law such as this one is somewhat complex and would not necessarily contemplate specific conditions such as the number of chickens allowed, or measures to ensure the chickens were managed according to the appropriate health and safety guidelines.

Internal Consultations:

This project is a collaborative effort between the CAO's Office, Corporate Communications, Planning and Development, and By-law.

Financial Implications:

This report is focused primarily on the public engagement activities related to backyard chickens in Urban Boundary areas within Port Colborne. All costs related to the public engagement activities are captured in the 2025 operating budget.

Public Engagement:

This report provides an overview and summary of the public engagement process for backyard chickens which was conducted between March 26 and April 14, 2025.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community
-

Conclusion:

While public feedback showed strong support for allowing backyard chickens, staff remain concerned about animal welfare, public health, enforcement, and neighbourhood impacts. As such, staff recommend Council choose to maintain the current by-laws that prohibit backyard chickens in the urban area.

If Council chooses to move in a different direction, staff have outlined options for future consideration, including a short-term use by-law and incorporating the matter into the 2027 Comprehensive Zoning By-law review.

Appendices:

- a. Backyard Chickens in the Urban Boundary - Public Engagement Results
- b. 4086/81/01 – Respecting the Keeping of Animals
- c. Farm Animal Policy and Procedures
- d. 4620/2/05 – Respecting the Keeping of Animals Amendment

Respectfully submitted,

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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

Backyard Chickens in the Urban Boundary

Engagement Results

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Introduction

On March 26, 2025, the City of Port Colborne launched a comprehensive public engagement campaign to collect public feedback on a proposal that would allow backyard chickens within the urban boundary of Port Colborne.

The campaign included:

1. Online Survey
2. Paper Survey

This document serves as a summary of the results of the engagement activities.

Please note that personal information collected during this public engagement project was collected under the authority of the *Municipal Act, 2001* and will be used to help Council make decisions related to a proposal to allow backyard chickens within the urban boundary of Port Colborne. The disclosure of this information is governed by the Municipal Freedom of Information and Protection of Privacy Act. Questions related to the collection of this information may be directed to the Deputy City Clerk at 905-228-8118 or deputyclerk@portcolborne.ca

Survey

Overview

Keeping small-flock poultry, also known as backyard chickens, is often valued for providing fresh eggs, companionship, and a stronger connection to local food sources. However, there are also some potential concerns that accompany backyard chickens within the urban boundary, including those related to health (including avian flu), noise, and odours.

At this time, the City is asking the public for their input on the possibility of allowing backyard chickens within the urban boundary in Port Colborne. The survey was designed to gather feedback from residents on the proposed allowance of backyard chickens, including:

- Interest in backyard chickens
- Appropriate lot size
- Chicken-related concerns
- Perceived benefits from owning backyard chickens
- Licensing and inspections for backyard chicken owners

The survey was distributed online and in paper format.

The survey was launched March 26, 2025 and closed April 14, 2025. The survey was promoted through multiple channels to maximize reach and participation. These included the City's website, social media platforms, and media outreach.

Paper surveys were available at City Hall, Vale Health & Wellness Centre and Port Colborne Public Library.

This document summarizes results and feedback gathered from both the online and paper surveys.

Quick Facts

- 1285 surveys were completed (1202 online and 83 paper)
 - City Hall: 23
 - Port Colborne Public Library: 31
 - Vale Health & Wellness Centre: 29
- 674 open-field comments to analyze and categorize
- Average time to complete the survey: 5 minutes (online survey)
- Estimated completion rate: 92% (online survey)

Overall Survey Observations

Support for backyard chickens in urban areas

- 53% of respondents support backyard chickens in the urban area without conditions, and another 31% support backyard chickens with some conditions
- 21% of respondents currently have or have had backyard chickens
- 43% of respondents are interested in having backyard chickens
- 81% of respondents would be fully supportive or somewhat supportive of their neighbour having backyard chickens

Common Concerns

- Concerns that received a similar number of responses include odours, sanitation or health risks, and appearance or maintenance of chicken coops
- The most common concern is attraction of predatory wildlife and/or rodents, with 33% of respondents choosing this answer
- 43% of respondents ranked cleanliness and maintenance standards highest in importance for the keeping of backyard chickens

Reasons for keeping backyard chickens

- 88% of respondents believe access to fresh eggs is a benefit of keeping backyard chickens
- A number of commenters also cited mental health benefits as a reason for keeping backyard chickens

- Many commenters stressed that the ability to be self-sufficient in difficult financial times was a reason for wanting to keep backyard chickens

Regulations surrounding backyard chickens

- 49% of respondents do not agree with allowing roosters within the urban areas of Port Colborne, while 27% of respondents believe roosters should be allowed
- 60% of respondents believe no licensing or permits should be required for the keeping of backyard chickens
- 57% of respondents believe no property inspection should take place before a resident is allowed to have backyard chickens, with 50% of respondents saying that ongoing or additional inspections should only be done if there is a complaint or concern
- 47% of respondents believe that the sale of eggs should be permitted without any regulations, and an additional 17% believe the sale of eggs should be permitted with a licence or permit
- 46% of respondents do not support the slaughtering of chickens on residential properties, while 40% of respondents believe it should be allowed

Summary of Survey Results by Question

Responses to survey questions are outlined below. Open-ended questions include a summary of the responses received. A full list of open-ended responses received has been posted on www.portcolborne.ca/backyardchickens

Please note, staff used Microsoft CoPilot to help provide summaries and detect trends in the 674 open-ended responses received.

Q1. Where do you live?

Answers

Port Colborne
Wainfleet, Welland, Fort Erie
Somewhere else in Niagara
Somewhere else in Ontario
Other

Responses

1108
88
59
20
3

Answered
Skipped

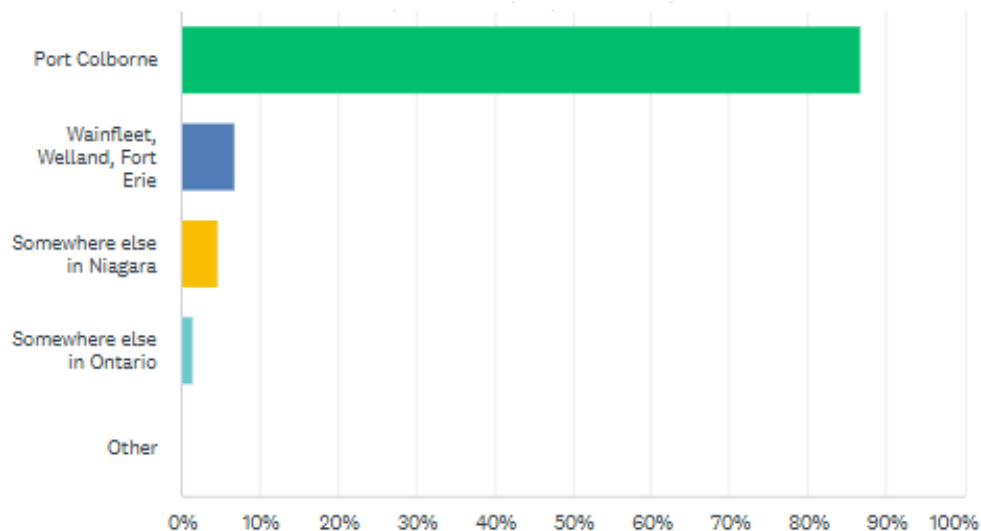
1278
7

**86% of
respondents were
from Port
Colborne.**

**94% of
respondents were
either from Port
Colborne,
Wainfleet, Welland
or Fort Erie.**

Where do you live?

Answered: 1,278 Skipped: 7



Q2. Do you live within the urban area in Port Colborne? If you're not sure, please consult this map that outlines the four settlement areas/urban areas in Port Colborne.

Answers

Yes
No
I don't live in Port Colborne
I'm not sure

Responses

1032
126
94
25

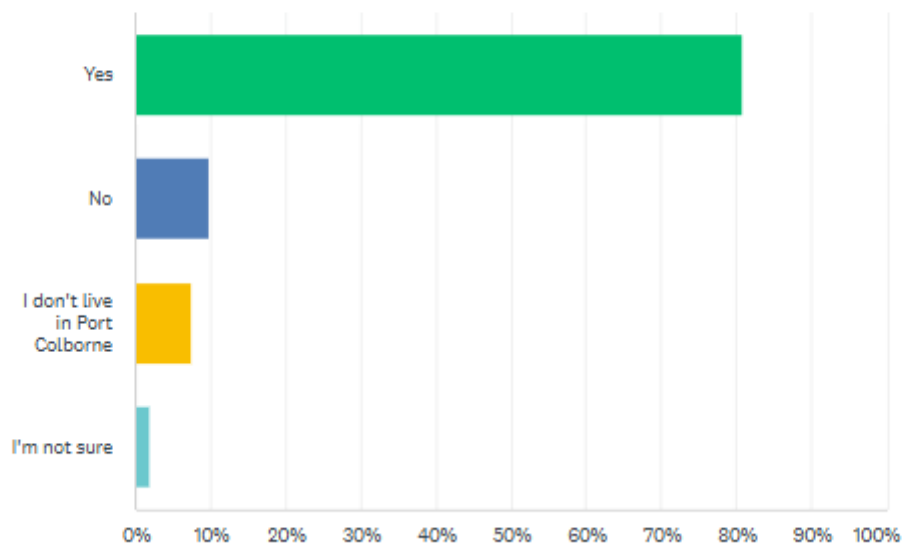
Answered
Skipped

1277
8

**81% of
respondents live
within an urban
area of Port
Colborne.**

Do you live within the urban area in Port Colborne? If you're not sure, please consult this map that outlines the four settlement areas / urban areas in Port Colborne.

Answered: 1,277 Skipped: 8



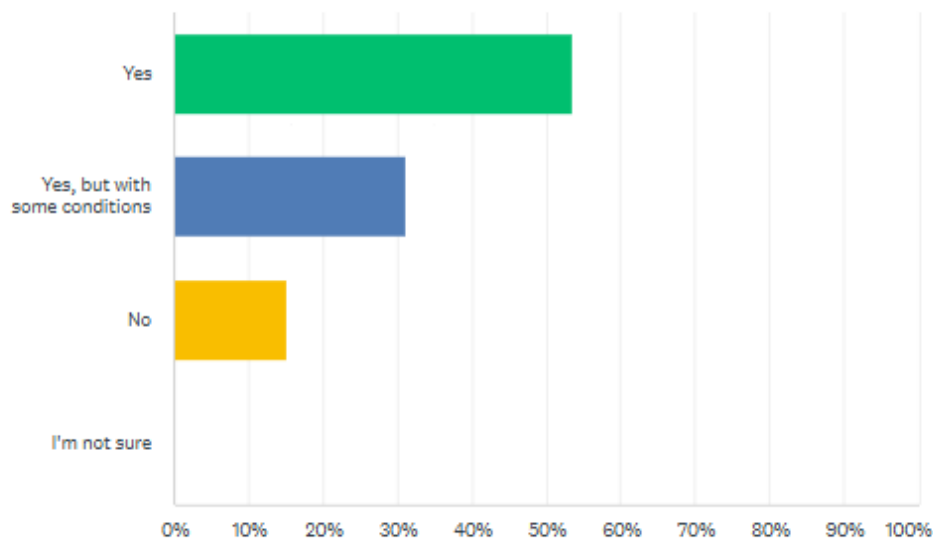
Q3. Do you think backyard chickens should be allowed within the urban boundary in Port Colborne?

Answers	Responses
Yes	686
Yes, but with some conditions	398
No	193
I'm not sure	4
Answered	1281
Skipped	4

53% of respondents believe backyard chickens should be allowed within the urban boundary of Port Colborne.

Do you think backyard chickens should be allowed within the urban boundary in Port Colborne?

Answered: 1,281 Skipped: 4



Q4. What size of residential lot do you believe is appropriate for keeping backyard chickens?

Answers

A smaller lot size (e.g., typical suburban or urban residential lot) is appropriate

A medium-sized lot (e.g., about a quarter of an acre) is more appropriate

A larger lot (e.g., about half an acre or more) is necessary

I'm not sure

I do not support backyard chickens in the urban area, no matter the size of the lot

Responses

638

309

98

58

161

Answered

1264

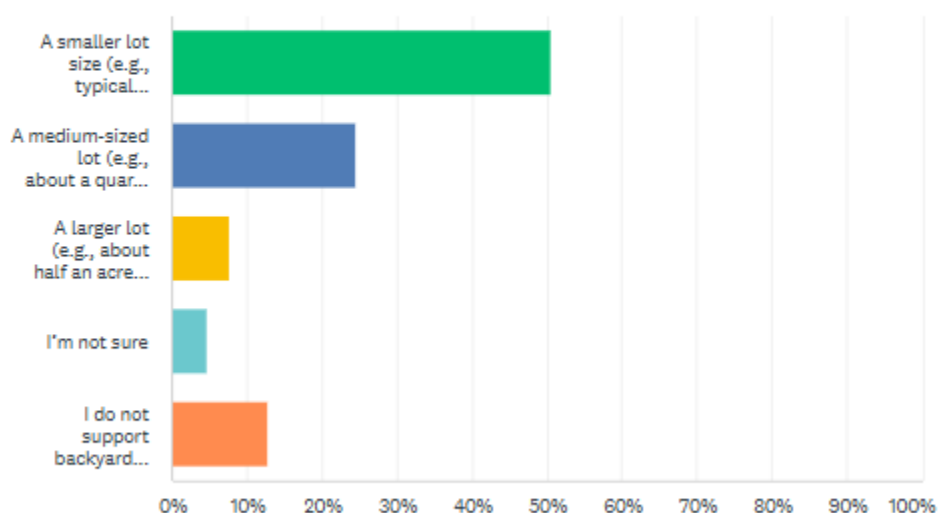
Skipped

21

50% of respondents believe a smaller lot size, or a typical suburban or urban residential lot is appropriate for keeping backyard chickens.

What size of residential lot do you believe is appropriate for keeping backyard chickens?

Answered: 1,264 Skipped: 21



Q5. Which of the following best describes your experience or interest in backyard chickens?

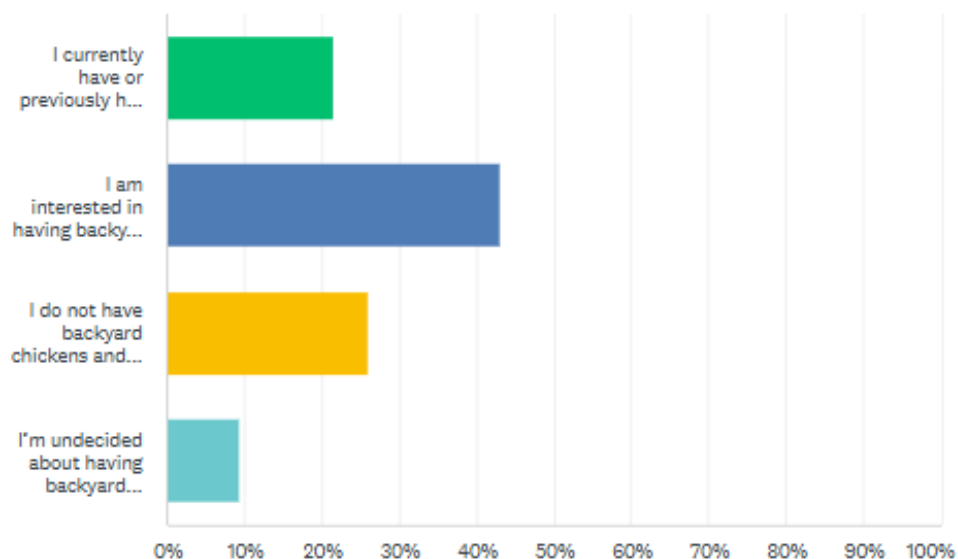
Answers	Responses
I currently have or previously have had backyard chickens	271
I am interested in having backyard chickens	542
I do not have backyard chickens and I am not interested in having them	328
I'm undecided about having backyard chickens	117
Answered	1258
Skipped	27

43% of respondents are interested in having backyard chickens.

21% of respondents currently have or previously have had backyard chickens.

Which of the following best describes your experience or interest in backyard chickens?

Answered: 1,258 Skipped: 27



Q6. How would you feel about your next-door neighbour keeping backyard chickens?

Answers

Responses

I would be fully supportive	649
I would be somewhat supportive, depending on how they're managed	362
I would be neutral	17
I would have some concerns	51
I would not be supportive	167

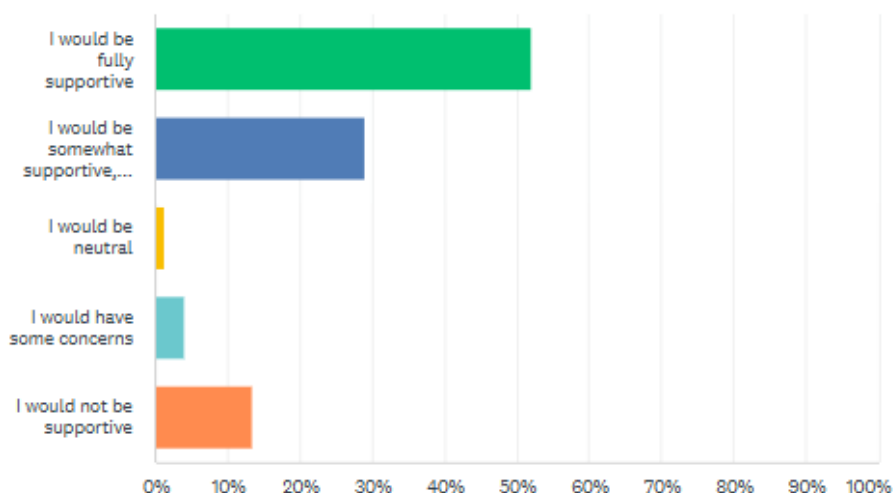
Answered	1246
Skipped	39

52% of respondents would be fully supportive of their neighbour keeping backyard chickens.

Another 29% would be somewhat supportive, depending on how they're managed.

How would you feel about your next-door neighbour keeping backyard chickens?

Answered: 1,246 Skipped: 39



Q7. Do you have any concerns about residents being allowed to keep chickens on their properties in Port Colborne? (select all that apply)

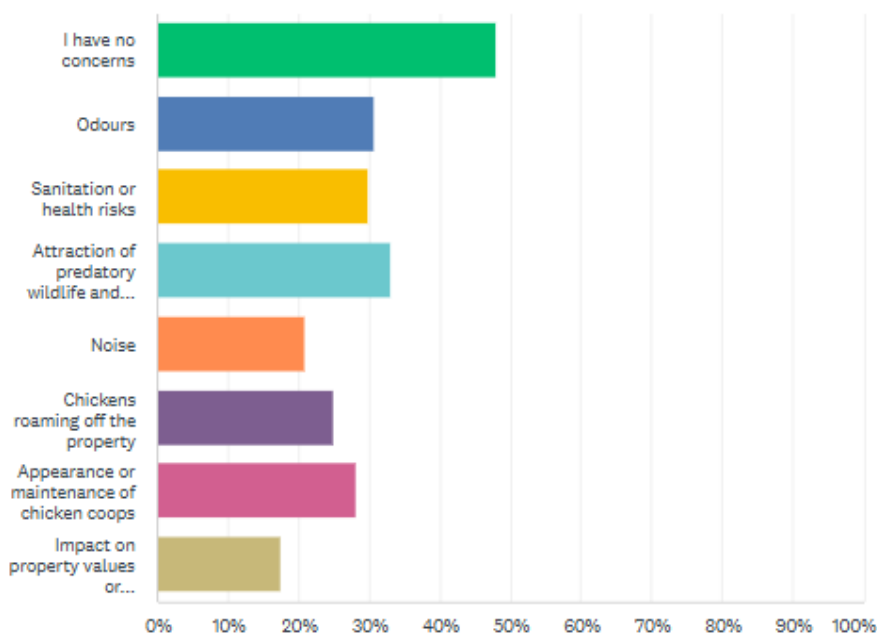
Answers	Responses
I have no concerns	594
Odours	381
Sanitation or health risks	371
Attraction of predatory wildlife and/or rodents	410
Noise	258
Chickens roaming off the property	309
Appearance or maintenance of chicken coops	349
Impact on property values or neighbourhood appearance	216
Answered	1239
Skipped	46

48% of respondents have no concerns about backyard chickens.

The top concern was attraction of predatory wildlife and/or rodents, with 33% of respondents choosing this option.

Do you have any concerns about residents being allowed to keep chickens on their properties in Port Colborne? (select all that apply)

Answered: 1,239 Skipped: 46



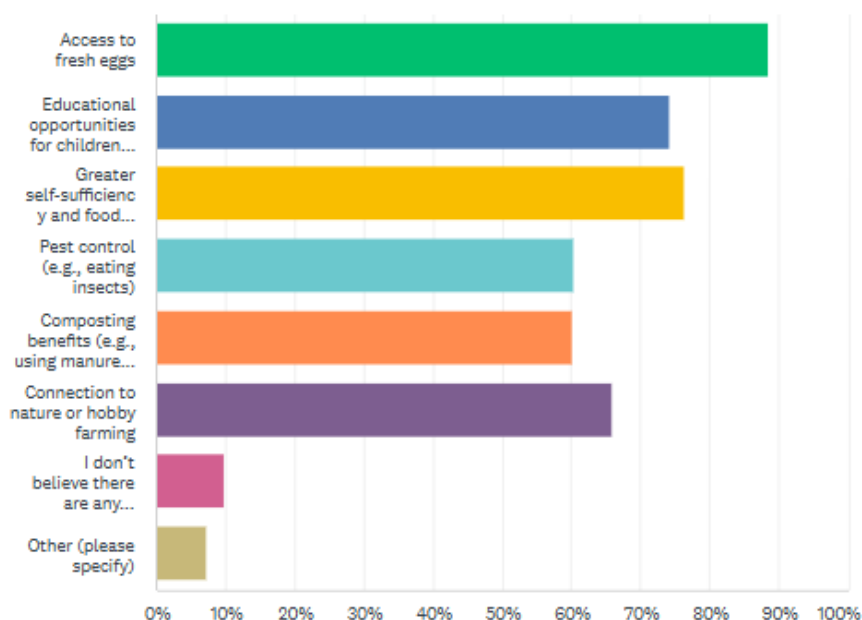
Q8. What benefits, if any, do you believe backyard chickens could provide to residents in Port Colborne (select all that apply)

Answers	Responses
Access to fresh eggs	1046
Educational opportunities for children and families	878
Greater self-sufficiency and food security	903
Pest control (e.g., eating insects)	714
Composting benefits (e.g., using manure as fertilizer)	711
Connection to nature or hobby farming	779
I don't believe there are any benefits	117
Other (please specify)	87
Answered	1183
Skipped	102

Access to fresh eggs was the most common benefit, with 88% of respondents choosing this option.

What benefits, if any, do you believe backyard chickens could provide to residents in Port Colborne? (select all that apply)

Answered: 1,183 Skipped: 102



Question 8 also allowed for respondents to offer “other” answers. 87 comments were received. A summary of the comments is shown below.

Q8 Open-Ended Response Summary	
Mental Health and Companionship	<ul style="list-style-type: none"> • Chickens are seen as good pets and provide companionship, which can help with a variety of mental health difficulties. • They encourage people to spend more time outdoors and offer therapeutic benefits similar to other pets.
Sustainability and Self-Sufficiency	<ul style="list-style-type: none"> • Raising chickens can help residents become more self-sufficient by providing a sustainable food source, especially eggs. • Chickens can consume kitchen scraps, reducing food waste and landfill use.
Community Building	<ul style="list-style-type: none"> • Sharing or trading eggs and homegrown vegetables can foster a sense of community. • They can attract people interested in sustainable living to consider moving to Port Colborne.
Economic Benefits	<ul style="list-style-type: none"> • With rising food costs, having access to fresh eggs can reduce reliance on food banks and social services. • Selling eggs can provide extra income.

Q9. If regulations are developed to allow backyard chickens within the urban areas of Port Colborne, which of the following considerations do you believe are most important? Please rank these options in order of importance, from 1 (most important) to 8 (least important)

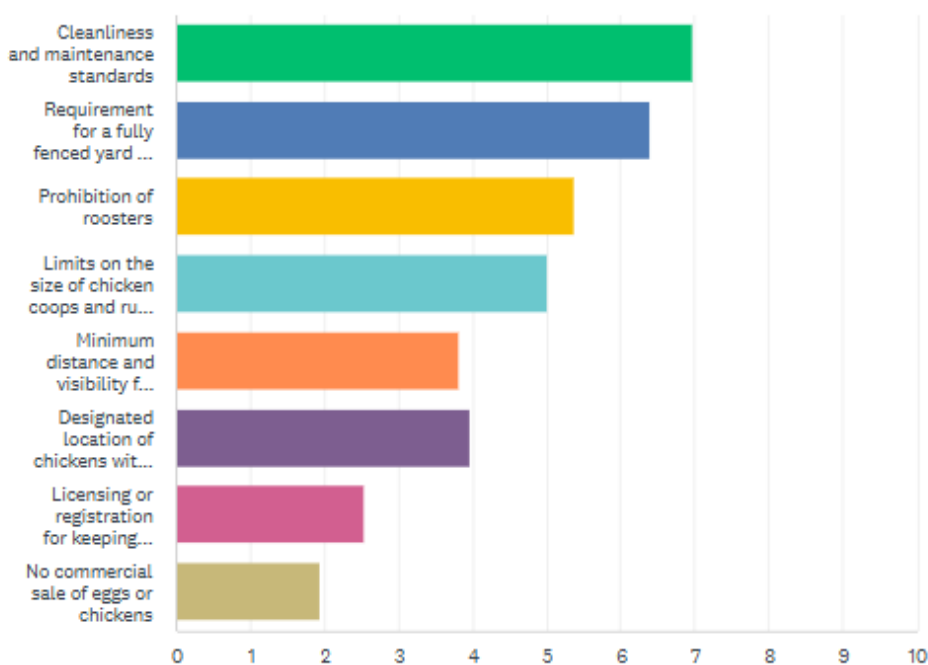
Answers	Ranked #1	Ranked #2	Ranked #3	Ranked #4	Ranked #5	Ranked #6	Ranked #7	Ranked #8
Cleanliness and maintenance standards	486	359	163	69	34	23	5	0
Requirement for a fully fenced yard or enclosed chicken run	295	374	207	115	85	37	17	9
Prohibition of roosters	219	158	266	144	99	116	71	66
Limits on the size of chicken coops and run areas	15	119	267	415	181	89	40	13
Minimum distance and visibility from neighbouring homes	31	24	69	150	405	272	137	51
Designated location of chickens within the yard (e.g., rear yard only)	24	57	118	168	230	396	117	29
Licensing or registration for keeping chickens	52	31	30	46	62	114	439	365
No commercial sale of eggs or chickens	117	17	19	32	43	92	313	606
Answered								1139
Skipped								146

Overall, respondents ranked the options in the following order:

1. Cleanliness and maintenance standards
2. Requirement for a fully fenced yard or enclosed chicken run
3. Prohibition of roosters
4. Limits on the size of chicken coops and run areas
5. Designated location of chickens within the yard (e.g., rear yard only)
6. Minimum distance and visibility from neighbouring homes
7. Licensing or registration for keeping chickens
8. No commercial sale of eggs or chickens

If regulations are developed to allow backyard chickens within the urban areas of Port Colborne, which of the following considerations do you believe are most important? Please rank these options in order of importance, from 1 (most important) to 8 (least important)

Answered: 1,139 Skipped: 146



Q10. If backyard chickens were permitted within the urban areas of Port Colborne, what do you think would be an appropriate maximum number of hens per property?

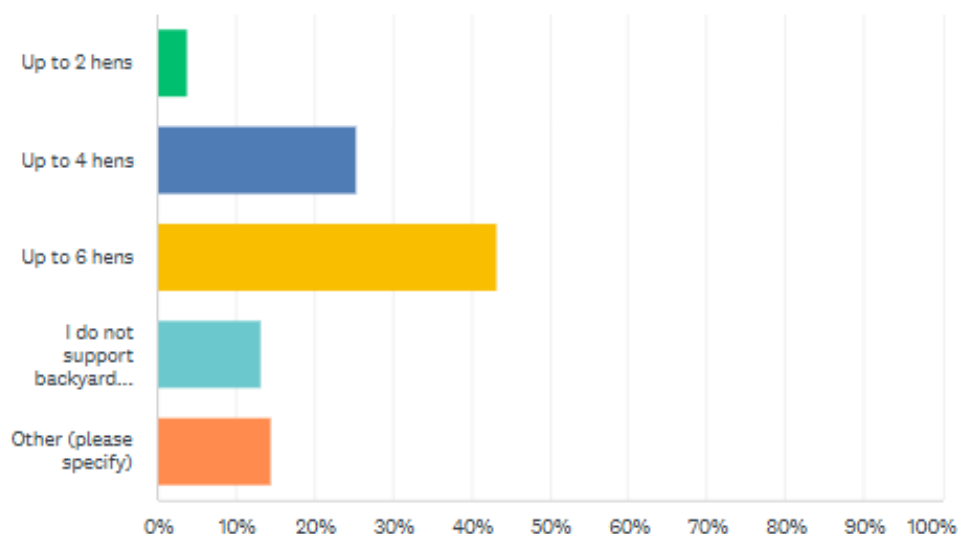
Answers	Responses
Up to 2 hens	45
Up to 4 hens	299
Up to 6 hens	507
I do not support backyard chickens in urban areas at all	154
Other (please specify)	169
Answered	1174
Skipped	111

43% of respondents believe that up to 6 hens is an appropriate number.

Other comments suggest taking lot size into consideration.

If backyard chickens were permitted within the urban areas of Port Colborne, what do you think would be an appropriate maximum number of hens per property?

Answered: 1,174 Skipped: 111



Question 10 also allowed for respondents to offer “other” answers. 169 comments were received. A summary of the comments is shown below.

Q10 Open-Ended Response Summary	
Property Size Dependency	<ul style="list-style-type: none"> Many respondents believe the number of hens should depend on the size of the property. Larger lots could accommodate more hens, while smaller lots should have fewer.
No Limits	<ul style="list-style-type: none"> A number of respondents believe there should be no strict limits, allowing owners to decide based on their ability to care for the chickens and the space available.
Other Considerations	<ul style="list-style-type: none"> Some respondents mentioned the need for regulations based on the number of people in the household or the specific needs for egg production.
Opposition	<ul style="list-style-type: none"> A few comments express strong opposition to allowing backyard chickens in urban areas, citing concerns about attracting predators and rodents, and potential issues with cleanliness and disease.

Q11. Do you think roosters should be allowed in urban areas of Port Colborne?

Answers

Responses

Yes, roosters should be allowed

323

No, only hens should be allowed

576

No, I do not support backyard chickens in urban areas at all

168

I'm not sure

111

Answered

1178

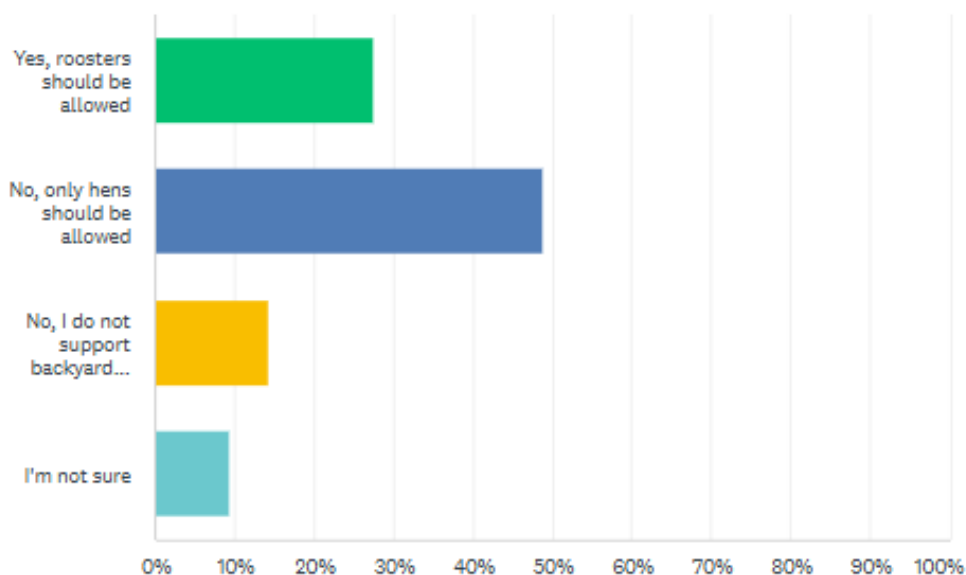
Skipped

107

49% of respondents believe only hens should be allowed in urban areas of Port Colborne.

Do you think roosters should be allowed in urban areas of Port Colborne?

Answered: 1,178 Skipped: 107



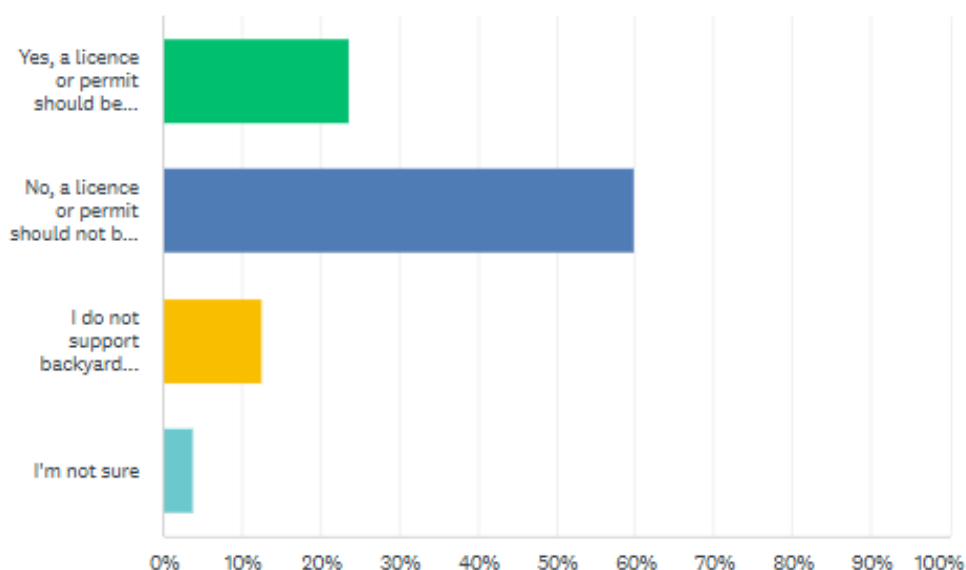
Q12. Do you think residents should be required to obtain a licence or permit to keep backyard chickens within the urban boundary in Port Colborne?

Answers	Responses
Yes, a licence or permit should be required	280
No, a licence or permit should not be required	707
I do not support backyard chickens in urban areas at all	148
I'm not sure	44
Answered	1179
Skipped	106

60% of respondents believe no licensing or permits should be required to keep backyard chickens.

Do you think residents should be required to obtain a licence or permit to keep backyard chickens within the urban boundary in Port Colborne?

Answered: 1,179 Skipped: 106



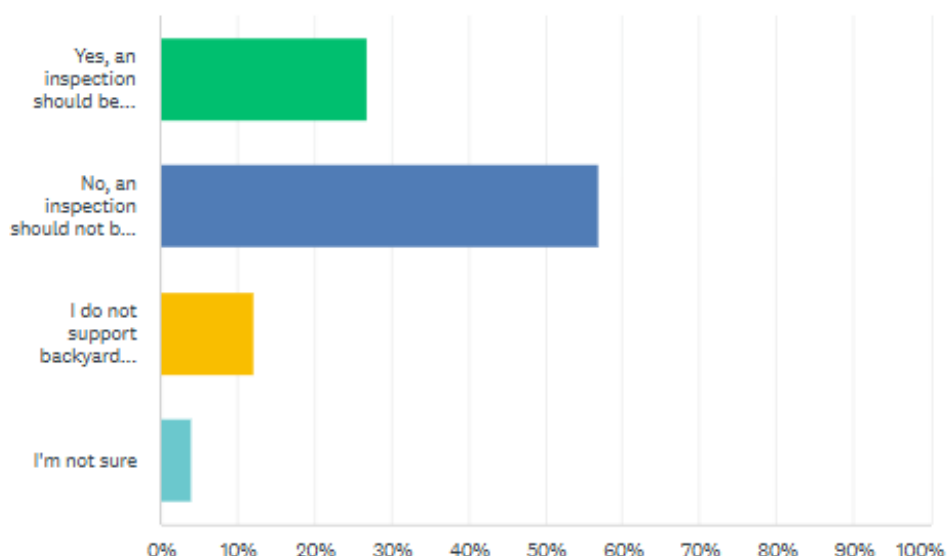
Q13. Do you think a property inspection should be required before someone is allowed to keep backyard chickens?

Answers	Responses
Yes, an inspection should be required	315
No, an inspection should not be required	670
I do not support backyard chickens in urban areas at all	144
I'm not sure	47
Answered	1176
Skipped	109

57% of respondents believe that no property inspection should be required for those who wish to keep backyard chickens.

Do you think a property inspection should be required before someone is allowed to keep backyard chickens?

Answered: 1,176 Skipped: 109



Q14. Do you think ongoing property inspections should be conducted after someone is approved to keep backyard chickens?

Answers

Once a year
Every two years
Only if there's a complaint or concern
No further inspection should be required
I do not support backyard chickens in the urban area at all
I'm not sure

Responses

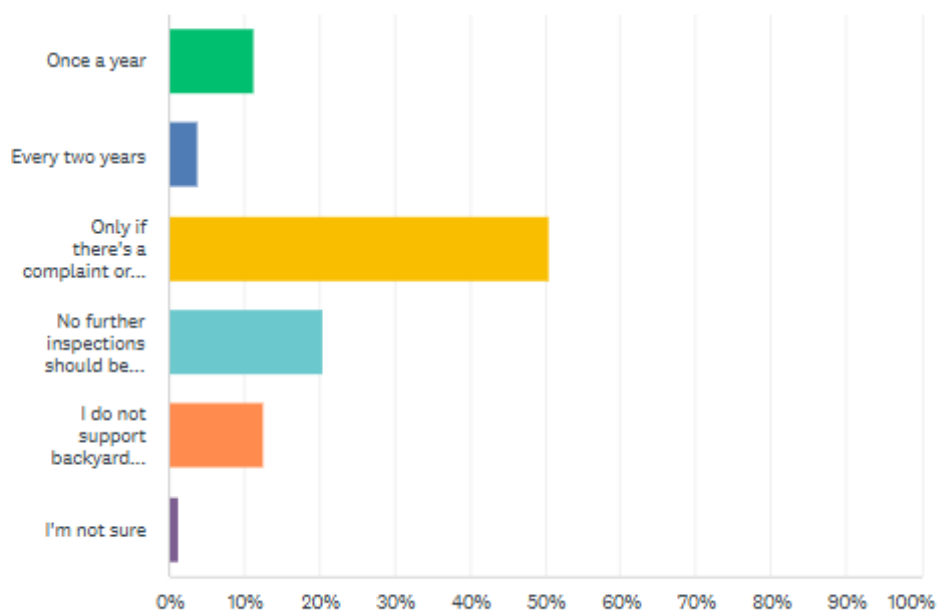
132
45
596
241
149
14

50% of respondents believe inspections should only take place if there is a complaint or concern.

Answered 1177
Skipped 108

Do you think ongoing property inspections should be conducted after someone is approved to keep backyard chickens?

Answered: 1,177 Skipped: 108



Q15. If backyard chickens were allowed in urban areas of Port Colborne, how should the sale of eggs be regulated, if at all?

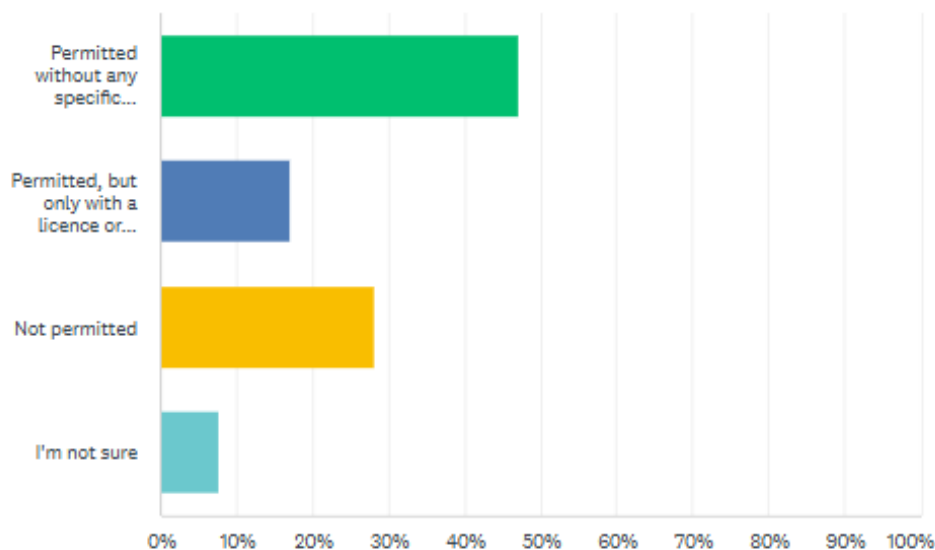
Answers	Responses
Permitted without any specific regulations	554
Permitted, but only with a licence or permit	200
Not permitted	332
I'm not sure	90
Answered	1176
Skipped	109

47% of respondents believe the sale of eggs should be permitted without any regulations.

An additional 17% believe the sale of eggs should be permitted with a licence or permit.

If backyard chickens were allowed in urban areas of Port Colborne, how should the sale of eggs be regulated, if at all?

Answered: 1,176 Skipped: 109



Q16. If backyard chickens were allowed in urban areas of Port Colborne, do you think slaughtering chickens should be permitted on residential properties?

Answers

Yes, it should be allowed
No, it should not be allowed
I'm not sure

Responses

476
547
152

Answered
Skipped

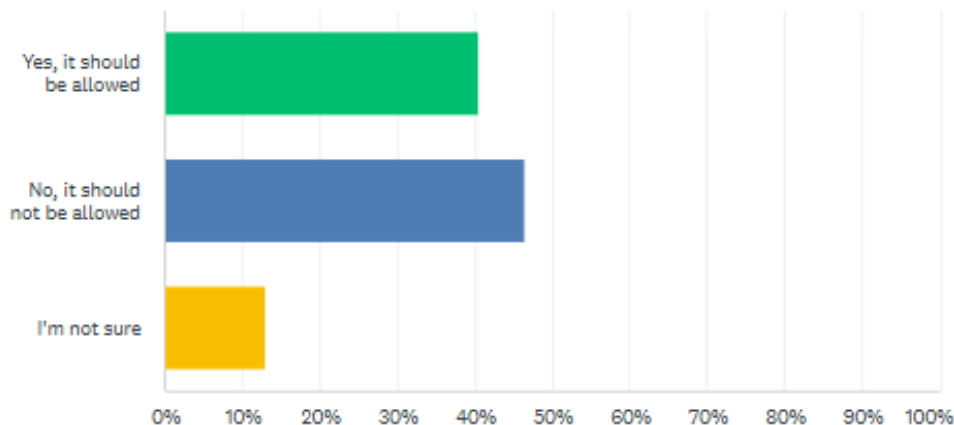
1175
110

46% of respondents believe slaughtering chickens should not be permitted on residential properties.

40% of respondents support slaughtering chickens on residential properties.

If backyard chickens were allowed in urban areas of Port Colborne, do you think slaughtering chickens should be permitted on residential properties?

Answered: 1,175 Skipped: 110



Q17. Is there anything else you'd like to tell us about backyard chickens within Port Colborne's urban boundary?

Answered 418

Skipped 867

Question 17 was an open-ended question which allowed respondents to fill in comments. 418 comments were provided.

A full list of comments is available at www.portcolborne.ca/backyardchickens

Overall, the comments show strong support for backyard chickens in the urban areas of Port Colborne. Some residents raise concerns surrounding cleanliness and attraction of wildlife and suggest enforcing regulations to help negate the potential issues. Respondents see many benefits to potentially adding chickens to their household, with many citing economic relief and personal benefits. A summary of the comments is shown below.

Q17 Open-Ended Response Summary	
Economic Benefits	<ul style="list-style-type: none"> Many residents find backyard chickens helpful for reducing food costs, especially for those on fixed incomes or facing financial difficulties.
Educational Value	<ul style="list-style-type: none"> Chickens provide learning opportunities for children and adults about animal care, sustainability, and food production.
Mental Health	<ul style="list-style-type: none"> Keeping chickens is seen as a relaxing and rewarding hobby, particularly for elderly residents.
Community and Self-Sufficiency	<ul style="list-style-type: none"> Chickens can foster a sense of community and independence, with some residents enjoying sharing eggs with neighbours.
Concerns and Challenges	<ul style="list-style-type: none"> There are worries about chickens attracting predators like raccoons, foxes, and rodents, which could pose a threat to both the chickens and neighbouring properties. Some residents are concerned about the potential noise from chickens, especially roosters, and the smell from coops if not properly maintained. There are mixed feelings about the need for permits and regulations. Some believe they are necessary to ensure proper care and prevent

Q17 Open-Ended Response Summary	
	issues, while others feel they are an unnecessary burden.
Education and Training	<ul style="list-style-type: none"> • Many comments suggest that residents should be educated on proper chicken care, possibly through City-provided courses or consultations with veterinarians. • Some propose creating interest groups or community programs to support chicken owners and share best practices.
Limitations	<ul style="list-style-type: none"> • Suggestions include limiting the number of chickens per household, prohibiting roosters, and ensuring coops are kept clean and secure.

CORPORATION OF THE CITY OF PORT COLBORNE

By-law No. 4086/81/01

A BY-LAW RESPECTING THE KEEPING
OF ANIMALS

WHEREAS paragraph 1, section 210 of the *Municipal Act* authorizes a municipality to pass by-laws for prohibiting or regulating the keeping of animals;

WHEREAS paragraph 4, section 210 of the *Municipal Act* authorizes a municipality to pass by-laws for prohibiting or regulating the being at large or trespassing of animals;

WHEREAS paragraph 7, section 210 of the *Municipal Act* authorizes a municipality to pass by-laws for determining the compensation to be allowed for services rendered in carrying out the provisions of any *Act* with respect to animals impounded or distrained and detained in the possession of the distrainer;

AND WHEREAS section 220.1 of the *Municipal Act* authorizes a municipality to pass by-laws imposing fees or charges on any class of persons;

The Council of the Corporation of the City of Port Colborne **HEREBY ENACTS** as follows:

DEFINITIONS

1. In this by-law, unless the context otherwise requires:
- (1) **“animal”** includes birds and reptiles;
 - (2) **“domesticated animal”** means any animal that has traditionally been kept as a pet including those listed on Schedule E;
 - (3) **“endangered animal”** means any animal listed on the CITES #1 Endangered Species list;
 - (4) **“farm animal”** means any animal that has been generally kept as livestock on Canadian farms and includes agricultural animals listed on Schedule F;
 - (5) **“prohibited or dangerous animal”** means any animal that is or is deemed to be potentially harmful to humans by nature, aggression, venom, toxins or size and that require specifically designed, secure enclosures to ensure safekeeping including those animals listed on Schedule B;
 - (6) **“restricted animal”** means any animal that is or is deemed to be potentially harmful to humans by nature, aggression, venom, toxins or size including those animals listed on Schedule A;
 - (7) **“animal control officer”** means a person appointed as a Provincial Offences Officer by the City who shall have the ability to impound animals and enforce this by-law;
 - (8) **“at large”** includes the circumstances in which an animal is found in any place other than on lands owned or lawfully occupied by its owner and when not under the physical control or restraint of any person;

- (9) **“by-law enforcement officer”** means a person appointed as a Provincial Offences Officer by the City to enforce this by-law;
- (10) **“City”** means the Corporation of the City of Port Colborne and its geographical area, as the context may allow;
- (11) **“Council”** means the Council of the Corporation of the City of Port Colborne;
- (12) **“enclosure”** means any cage, container, or structure, to keep an animal confined for safekeeping and includes the descriptions and specifications set out in Schedule C;
- (13) **“identification”** means establishing through registration the legal name (Latin) and the common name as well as any brands, unique markings, colour, size and age of the animal;
- (14) **“keep”** means the act of having the care, custody, control or possession of an animal;
- (15) **“owner”** means the person who owns the animal and includes any person who keeps, harbors, or is in control of the animal within the City, and where the owner is a minor, the person responsible for the custody of the minor;
- (16) **“public property”** means any property owned by the City or any other local board as defined by the *Ontario Municipal Affairs Act* or any federal or provincial lands;
- (17) **“safekeeping”** means the provision for security in order to prevent any animal from attacking or injuring a person or domesticated animal or farm animal or exposing same to infection or disease.

CARE OF ANIMALS

- 2. (1) Every person who keeps an animal within the City's boundaries shall provide the animal or cause it to be provided with adequate and appropriate care, food, water, shelter, exercise, attention and veterinary care as may be required to meet the needs of the species.
- (2) If an animal is customarily kept out of doors, the owner of the animal shall provide for the safekeeping of the animal including for its use at all times a structurally sufficient, weather-proofed and insulated enclosure of appropriate size and dimension.
- (3) No person shall keep any animal in the City tethered on a chain, rope or similar restraining device or less than three metres in length.
- (4) Every person who has tethered an animal shall ensure, at all times, that the animal has unrestricted movement within the range of the tether, and that the animal cannot suffer injury resulting from the tethering.
- (5) No person shall keep an animal within the City in an unsanitary condition.
- (6) For the purposes of subsection (5), an animal is kept in an unsanitary condition where the keeping of the animal results in an accumulation of faecal matter, an odour, insect infestation or rodent attractants which endanger the health of any person or animal, or which disturbs or is likely to disturb the enjoyment, comfort or convenience of any person.

- (7) Every owner of an animal is responsible for the safekeeping of such animal and shall provide an environment wherein the animal cannot be injured or infected by the enclosure and the enclosure shall not cause physiological or mental harm to the animal enclosed as determined, if required, by a veterinarian or expert with knowledge and experience related to the species.
- 3. No person shall permit any animal other than a dog, to run at large or to trespass within the City.

PROHIBITED OR DANGEROUS ANIMALS

- 4. (1) No person shall keep in the City, either on a temporary or permanent basis, any prohibited or dangerous animal.
- (2) For the purposes of subsection (1), prohibited and dangerous animal includes any animal listed in or falling within those classes of animals listed in Schedule B attached to and forming part of this by-law.
- 5. Despite section 4 of this by-law, any person who, on the date of the passage of this by-law, was lawfully keeping any prohibited or dangerous animal at their place of residence may keep that animal until the animal has died or has otherwise been disposed of, but only if,
 - (1) the animal has been registered with the City of Port Colborne by December 31st, 2001;
 - (2) the animal remains securely at the owner's place of residence, except for necessary visits to a veterinarian's office;
 - (3) the animal is not shown to, or displayed to the public;
 - (4) the animal is prohibited from breeding with other animals;
 - (5) the animal is kept in accordance with the regulations set out in section 9 of this by-law; and
 - (6) a licence for that animal has been obtained from the Council of the City of Port Colborne.
- 6. Despite section 4 of this by-law, any person who, on the date of the passage of this by-law, was lawfully keeping any prohibited or dangerous animal and allows that animal to be shown to or displayed to the public may keep that animal until the animal has died or has otherwise been disposed of, but only if,
 - (1) the animal has been registered with the City of Port Colborne by December 31st, 2001;
 - (2) the animal remains securely at the owner's place of residence or place of business if the premises used for the business are exclusively devoted to the display of such animals, except for necessary visits to a veterinarian's office;
 - (3) the animal is prohibited from breeding with other animals;
 - (4) the animal is kept in accordance with the regulations set out in section 10 of this by-law; and

- (5) an Exotic Animal Licence for that animal has been obtained from the Council of the City of Port Colborne.

EXEMPT FACILITIES

- 7. Section 4 of this by-law does not apply to prevent the keeping of animals at,
 - (1) the premises of a City facility used for keeping impounded animals;
 - (2) the premises of an affiliate or branch of the Ontario Society for the Prevention of Cruelty to animals;
 - (3) the premises of an accredited veterinary hospital under the care of a licensed veterinarian;
 - (4) the premises of facilities accredited by the *Canadian Association of Zoos and Aquariums*;
 - (5) premises registered as research facilities pursuant to the *Animals for Research Act*, R.S.O. 1990, c. A.22;
 - (6) premises licensed as slaughterhouses pursuant to the *Meat Inspection Act*, R.S.O. 1990, c. M 5;
 - (7) premises of the Niagara Regional Police Department; and
 - (8) premises or facilities with a recognized wildlife authorization from the Ministry of Natural Resource Ontario

DOMESTICATED AND FARM ANIMALS

- 8.
 - (1) Domesticated animals including any animal listed in or falling within those classes of animals listed in Schedule E are not subject to the registration and licencing requirements in Sections 12 and 13 of this by-law.
 - (2) Farm animals including any animal listed in or falling within those classes of animals listed in Schedule F, shall be kept on lands in the City zoned Agricultural, and are not subject to the registration and licencing requirements in Section 12 and 13 of this by-law.

REGULATIONS FOR KEEPING PROHIBITED OR DANGEROUS ANIMALS

- 9. The following regulations shall apply to the keeping of a prohibited or dangerous animal for the purposes of section 5(5) of this by-law:
 - (1) Venomous reptiles and constrictors shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule C ;
 - (2) Any person who owns a venomous reptile anywhere within the geographic limits of the City shall be required to keep appropriate antitoxins, where feasible, at a local hospital or health centre and shall provide proof of compliance to the City Clerk;
 - (3) Felids shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule C; and

- (4) All prohibited and dangerous animals shall be kept in an enclosure that is adequate and sufficient for their safekeeping.
- 10. The following regulations shall apply to the keeping of a prohibited or dangerous animal for the purposes of section 6(4) of this by-law;
 - (1) Venomous reptiles and constrictors shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule C;
 - (2) Any person who owns a venomous reptile anywhere within the geographic limits of the City shall be required to keep appropriate antitoxins, where feasible, at a local hospital or health centre and shall provide proof of compliance to the City Clerk;
 - (3) Felids shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule E;
 - (4) Where prohibited or dangerous animals are to be shown or displayed to the public, there shall be no opportunity for physical contact between members of the public and the animals;
 - (5) An owner who shows or displays a prohibited or dangerous animal to the public shall take all reasonable steps to ensure that members of the public are safe from harm; and
 - (6) All prohibited and dangerous animals must be kept in an enclosure that is adequate and sufficient for their safekeeping.

SEIZING IMPOUNDING AND SALE OR KILLING

- 11. (1) Animals running at large within the City may be impounded by a designate of the City.
- (2) Animals which are impounded shall be kept by a person appointed or designated by the City with facilities to maintain impounded animals.
- (3) All animals that are deemed on inspection to be improperly enclosed or cared for may be impounded.
- (4) Any owner of an animal impounded pursuant to this by-law shall be liable to pay all the costs of impounding the animal, its care and upkeep and all other reasonable costs related thereto.
- (5) Nothing in this by-law shall prevent an animal control officer, provincial offences officer, police officer or any designate of the City from exercising the right to kill any animal if it is deemed to be dangerous or potentially a danger to any person, domesticated animal, farm animal or property within the City or neighbouring cities or villages.
- (6) Nothing in this by-law shall prevent an animal control officer, provincial offences officer, police officer or any designate of the City from exercising the right to kill any animal if the animal is injured or diseased.
- (7) The person designated by the City to impound animals may euthanise any animal impounded and kept by him or her as is allowed by application of provincial and federal law.

REGISTRATION AND LICENSING

Registration - Notification Only

12. (1) An owner shall notify the Clerk of the City that any animal listed in or falling within the classes of animals listed in Schedule A - Restricted animals, is being kept within the municipality and upon notification the Clerk shall register the animal.
- (2) There shall be no charge for registering animals as defined in Schedule A - Restricted animals.

Registration - Licence

13. (1) An owner shall obtain a Licence from the Clerk of the City to permit the keeping of any prohibited or dangerous animal.
- (2) An owner shall obtain an Exotic Animal Licence from the Clerk of the City to permit the showing or display of any prohibited or dangerous animal to the public.
- (3) A Licence shall not be issued pursuant to (1) and (2) until the owner has satisfied the City that the enclosures required for venomous reptiles, constrictors and felids comply with the specifications set out in Schedule C.
- (4) A Licence shall not be issued pursuant to (1) and (2) until the owner has satisfied the City that enclosures for any prohibited or dangerous animal, not specified in Schedule C, are adequate and sufficient for the safekeeping of such animal.
- (5) Prior to the issuance of a Licence pursuant to (1) and (2), the City may require that plans and specifications for any enclosure required by this by-law be submitted to the City for approval to ensure that they are adequate and the owner shall make any changes as required by the City.
- (6) Prior to the issuance of a Licence pursuant to (1) and (2), the City may inspect the enclosures to ensure that they are adequate and the owner shall make any changes as required by the City.
- (7) The Licence shall permit a provincial offences officer or an authorized inspector appointed by the City to inspect any enclosures from time to time.
- (8) The fee for licensing is set out on Schedule D and is based on the estimated costs of inspection and registration to the City.
- (9) A Licence is valid for two years from date of issue.
- (10) At the time of licensing and at each renewal thereafter, the owner is required to submit to the City Clerk an inventory of all prohibited or dangerous animals, including the identification of each animal, kept on the premises.
- (11) The owner shall display all Licences on the enclosure or in a prominent place near the enclosure.

- (12) All Licences shall be available to any by-law inspector, police officer or person designated to inspect by the City.
- (13) The Council may revoke any licence issued under this by-law and without limiting the generality and the foregoing, the Council may revoke any and all licences held by an owner for violation of any provision of this by-law.

INSPECTIONS

- 14. (1) The City or the Humane Society may authorize an inspection of the facilities and enclosures of the owner of any licensed animal from time to time.
- (2) If a complaint related to matters governed by this by-law is registered with the City, then an investigation, including inspection, may take place.

OFFENCES

- 15. Any person who contravenes any provision of this by-law is guilty of an offence.

PENALTIES

- 16. Any person or corporation convicted of a breach of any provision of this by-law shall be subject to such penalties or orders provided for under the *Provincial Offences Act*, as amended from time to time.

CONFLICT

- 17. Where this by-law conflicts with any other by-laws respecting animals, this by-law prevails to the extent of the conflict.

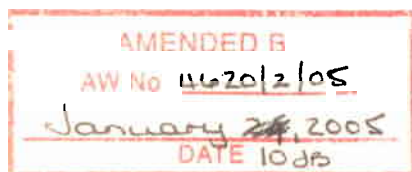
SCHEDULES

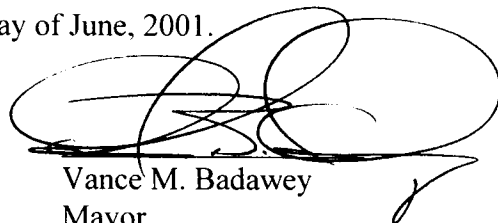
- 18. All schedules referred to in this by-law and attached to this by-law shall be deemed to be a part of the by-law.

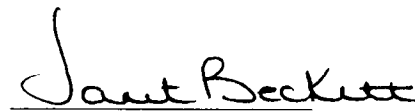
VALIDITY

- 19. If a court of competent jurisdiction declares any provisions or part of this by-law to be invalid or of no force and effect, it is the intention of the Council in enacting this by-law that each and every other provision of this by-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.
- 20. This by-law comes into force on June 25th, 2001 .

ENACTED AND PASSED this 25th day of June, 2001.




Vance M. Badawey
Mayor


Janet Beckett
Clerk

SCHEDULE “A”

TO BY-LAW 4086/81/01

RESTRICTED ANIMALS

Notification and registration with the City Clerk is required for these animals.

The following animals are permitted in the City subject to compliance with Section 12 of the by-law:

1. All domestic ferrets
2. All de-scented domestic skunks
3. All Arachnids (including tarantulas)
4. All rodents kept domestically with the exception of hamsters white rats, gerbils guinea pigs, or mice.
5. All “exotic” pigs if the same is kept in a dwelling unit.

SCHEDULE “B”

TO BY-LAW 4086/81/01

PROHIBITED OR DANGEROUS ANIMALS

1. Animals on the list of the Convention on International Trade and Endangered Species (CITES #1 Endangered Species List).
2. Marsupials, including kangaroos and opossums, except the Sugar Glider (*Perauridae Breviceps*).
3. Non-human primates.
4. Felids, except the domestic cat.
5. Canids, except the domestic dog.
6. Mustelids, including weasels, otters, badgers and skunks, except domesticated ferrets and de-scented domestic skunks.
7. Ursids.
8. Artiodactylus Ungulates, except domesticated goats, sheep, pigs or cattle.
9. Procyonids, including racoons, coatis and cacomistles.
10. Hyaenas.
11. Perissodactylus Ungulates, except domesticated horses, donkeys or asses.
12. Elephants.
13. Pinnipeds, including seals, fur seals and walruses.
14. Venomous Reptiles, including snakes and lizards.
15. Ratite Birds, which includes Ostriches, Rheas and Cassowaries.
16. Raptors, which includes eagles, hawks and owls, whether diurnal or nocturnal.
17. Edentates, which includes Anteaters, Sloths and Armadillos.
18. Bats
19. Cockroaches.
20. Crocodilian, which includes alligators and crocodiles.
21. Viverids, which includes Mongooses, Civets and Genets.
22. Constrictors, which includes Pthonidia and Biodae, Rock Pythons, Burmese Pythons, Reticulated Pythons and Green Anaconda.

SCHEDULE "C"

TO BY-LAW 4086/81/01

**APPROVED ENCLOSURES REQUIREMENTS FOR
PROHIBITED OR DANGEROUS ANIMALS**

Enclosure for Venomous Reptiles

1. Enclosures for venomous reptiles shall be kept indoors in a secure and locked area. All enclosures should be constructed of wood, fibreglass, ABS plastic or metal. Enclosures must be secure and key locked. All enclosures shall be kept within a secured (escape proofed) and locked area indoors. There shall be a sign displaying the words "**LIVE VENOMOUS ANIMALS, DO NOT TOUCH**", which shall be posted outside the secure and locked area and include a listing of emergency phone numbers.
2. The owner shall ensure that antitoxins are provided pursuant to Sections 9(2) and 10(2) of the by-law.
3. The owner of the venomous reptiles shall notify the local fire/ rescue department to the fact that venomous animals are being kept within the premises.

Enclosures for Large Constrictors

4. Enclosure for Phthoridia (large Python) and Boidae (Boa) shall be constructed of solid wood, 1/2" thick of fibreglass, metal or PVC plastic of a size to allow movement of the animal. All enclosures must be kept indoors and shall be secure and key locked. All provisions for safekeeping and care and maintenance must be adhered to.

Enclosures for Felids

1. Enclosures for Felids (large cats) shall be no less than thirty (30) x forty(40) feet comprised of nine (9) gauge chain-linked fence, which fence is to be ten (10) feet high with an additional three (3) feet on an angle to a height of twelve (12) feet. The top of the enclosure must be enclosed and shall be comprised of nine(9) gauge chain-linked fence with the required trusses. Main corner posts are to be three (3) inch metal posts. There will be additional cross posts placed horizontally at three (3) feet and six (6) feet from the bottom of the fence. The bottom of the enclosure shall be anchored securely to the ground every two (2) feet. Four inch reinforced mesh shall be attached to the bottom of the enclosure and shall extend no less than three (3) feet into the enclosure and weighted down by rocks. Such enclosures shall provide an additional secured area attached to the main enclosure for the Felids when the enclosure is being cleaned. The access to the whole enclosure shall be through a double door entry system.
2. There is to be a second chain link fence six (6) feet out from the enclosure and at least four(4) feet high. Danger signs must be posted on the outer fence and visible to the public.

SCHEDULE “D”

TO BY-LAW 4086/81/01

LICENCE FEES

The licence fee is not an annual fee.

Fee are to be paid by the owner for licence, inspection, registration and identification of the animal(s) to the City Clerk.

For animals listed on Schedule D- prohibited or dangerous animals having defined enclosure specifications, the licence shall include the notation ENC.

- Payment of the required fees and compliance with any changes to enclosures as required by the City must be verified prior to the issuance of a licence.

	FEE
■ For the first animal of each species	\$20.00
■ For the second and third animal of each species	\$2.00
■ For each species the aggregate of which exceed three in number	\$1.00
Maximum Licencing fee*	\$5,000.00 in total

(*regardless of the number of animals, animal species or sub-species held in a single location)

SCHEDULE “E”

TO BY-LAW 4086/81/01

DOMESTICATED ANIMALS

No registration under this by-law is required for these animals.

1. All tropical fish, marine fish and goldfish.
2. All hamsters, gerbils, guinea pigs, domestic rats, mice and rabbits.
3. All domestic parakeets, cockatiels, canaries, finches, lovebirds, parrots and macaws.
4. All non venomous lizards and turtles and snakes (excluding any listed on Schedule C - Restricted animals and Schedule D - prohibited or dangerous animals).
5. Dogs (licenced and regulated under by-law 2876/55/93, as may be amended from time to time)
6. Cats
7. Any other animal specifically exempted in any Schedule of this by-law.

Note: If an animal is not on this list, then provided it is not included in Schedule B of this by-law; it can only be kept within the City if it is first identified to the Clerk by the owner pursuant to Section 12 of this by-law.

SCHEDULE “F”

TO BY-LAW 4086/81/01

FARM ANIMALS

The following animals are permitted on lands zoned Agricultural within the City and are not subject to the licensing and registration requirements of this by-law.

CLASS OF ANIMAL	COMMON NAMES
	Set out in this column are <u>some</u> of the names of animals included in the classes of animals referred to in this schedule. The common names are provided for illustration purposes only and are not intended to limit the extent of the classes of animals referred to.
Anatids	ducks, swan
Anserins	goose
Domestic goat, sheep, pig, cattle, deer	
Gallus Domesticus	chicken, pheasant, turkey
Mustelids, except domestic ferrets	including chinchilla and mink
Horse, mule, ass	
Ratites	cassowaries, emus, kiwis, ostriches, rheas
Domestic dogs	
Domestic cats	

SECTION: Farm Animal Policy and Procedure
SUBJECT: Keeping of Animals By-law, Temporary Exemption from the Provisions of By-law 4086/81/01.

PURPOSE: The purpose of this policy and procedure is to establish consistent guidelines when residents wish to house farm animals on property that is zoned other than Agricultural within the City of Port Colborne.

SCOPE: The City Of Port Colborne Keeping of Animals By-law 4086/81/01.

POLICY STATEMENT The Keeping of Animals By-law provides for prohibiting and regulating animals within the City of Port Colborne

- . The By-law addresses concerns such as:
 - ◆ Care of Animals
 - ◆ Prohibited or Dangerous Animals
 - ◆ Domesticated and Farm Animals
 - ◆ Seizing, Impounding and Sale or Killing of Animals
 - ◆ Registration and Licensing of Animals

PROCEDURE: The following conditions and caveats must apply in respect of an application to Council to amend by-law number 4086/81/01 on a temporary basis, to permit the keeping of certain animals generally excluded in non-agricultural lands and includes a list of rules that must be adhered to if any owner of a property wishes to house farm animals on property not zoned Agricultural.

- ◆ Minimum lot size 1 acre or 0.39 ha
- ◆ Only an owner of a property can apply for this exemption.
- ◆ Only the animals listed in Schedule “F” of the Keeping of Animals By-law 4086/81/01 as amended qualifies for an exemption under this policy.
- ◆ All costs associated with an application and subsequent temporary exemption from by-law 4086/81/01 are the sole responsibility of the owner of the property and the owner shall enter into an agreement with the City that any and all costs incurred by the city shall be paid forthwith by the owner to the City and failing the payment of any costs, the amount unpaid shall be added to the tax roll and be collected as taxes. The following is a list of the types of costs to be paid by the owner as a condition of an exemption to by-law 4086/81/01:
 - ◆ costs incurred for legal fees, both those of the owner and all legal fees incurred by the City,
 - ◆ cost for production of and registration of easements or agreements,
 - ◆ costs incurred for subsequent removal and disposal of animals by the owner or by the City or its agents,

- ◆ fencing, screening or similar appurtenances despite the provisions of the Line Fences Act,
- ◆ special features or facilities required as identified during the application stage to qualify for the temporary keeping of animals and exemption from the stated by-law, and
- ◆ any incidentals or additional costs required by the City in order that the owner may have the privilege of having an exemption to the said by-law.
- ◆ The owner of the property must provide original written approvals of the application to the City, in wording described below, from all neighbours (both owners and tenants if not owner occupied) within 500 feet (152 metres) of the boundary of the applicant's property or lot lines. Written approval must include the date, neighbour's name (owner and tenant as the case may be), mailing address, telephone number and signatures. Wording to be agreed to by both owners and tenants, if tenant occupied:

"I (insert names of the owners here) do hereby notify the City of Port Colborne, that I (we) are not opposed to the amendment of City By-law 4086/81/01 to permit (insert the name of the applicant) to keep the following farm animals: (list type/kind of animal including any names, markings or other identifiable features including photo(s) of the animal(s)) on their property located at (insert applicant's municipal address here) and further I grant this consent with the knowledge that I may withdraw such consent for any reason whatsoever and at any time by filing notice with the City of Port Colborne delivered to its corporate office at 66 Charlotte Street, Port Colborne, L3K 3C8."
- ◆ In the event an owner of land within 500 feet of the subject property sells the property, the applicant for exemption must obtain a new and revised letter of approval from the new owner/tenant and file same with the City.
- ◆ The owner must provide complete and thorough details of the animal(s) which are the subject of the temporary exemption including name, photos, breed, sex, and any identifying marks or tattoos that would identify the animal from another.
- ◆ Animals for consumption (resale) transfer/storage for or on behalf of any other person do not qualify for exemption from by-law number 4086/81/01. The intention of this policy is to temporarily provide for an exemption from the prohibition as set out in Schedule "F" to by-law 4086/81/01 for farm animals that the owner/applicant considers as pet(s).
- ◆ For the purposes of this policy a copy of Schedule "F" to By-law 4086/81/01 is attached to this policy to specifically identify the types of animals that may be temporarily exempted from the by-law. Schedule "F" to By-law 4086/81/01 may be amended from time to time and shall be deemed to form part of this policy for illustrative purposes in a revised or amended form.

AGREEMENT:

An agreement between the owner/applicant and the City of Port Colborne is condition precedent to an amendment to the by-law 4086/81/01. The following minimum provisions must be included in an agreement:

- ◆ The owner must provide for unrestricted access to the City or its agents and accordingly will register on title an easement in favour of the City to access the property at any time. A copy of the registered/deposited easement shall be attached to the agreement and shall remain in force as long as the exemption to by-law 4086/81/01 remains in force.
- ◆ The agreement shall provide that the owner grants irrevocable permission to the City or its agents authorizing the City or its agents complete and unfettered access at any time to enter onto the property for the purpose of inspecting or removing the farm animals identified in this agreement.
- ◆ The owner must irrevocable indemnify the City or its agents from any damage or injury whatsoever claimed against the city or its agents in the exercise of any action arising from the application of this policy including the disposal of any animals, the cost of which is agreed that if unpaid by the owner will be added to the property taxes and collected as taxes.
- ◆ The agreement must provide that once the permitted animals as described in the application and exempted from by-law 4086/81/01 are deceased or cease for any reason whatsoever from remaining on the property, that the City be notified and the exemption to by-law 4086/81/01 will be revoked, and the owner/applicant may prepare appropriate documentation for the city's consideration to release the easement and cancel the agreement under this policy.
- ◆ On written notice mailed/served by the City on the owner/applicant based on the removal or withdrawal of any one or more letters of consent originally granted by any person within 500 feet (152 metres) of the boundary of the owner/applicant's property or lot lines in accordance with this policy, the owner/applicant shall within sixty (60) days remove the animals exempted from the provisions of by-law 4086/81/01
- ◆ In lieu of a letter of credit the owner must provide that any and all costs incurred by the City must be paid within 30days of notice from the city failing which the amount shall be added to the tax roll and collected as taxes.
- ◆ Annually, the owner/applicant shall supply a report on the condition and health of the animal(s) exempted from by-law 4086/81/01 or sooner should the condition of the animals change or should the animal(s) die or be removed from the property.

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. 4620/2/05

**BEING A BY-LAW TO AMEND BY-LAW 4086/81/01
A BY-LAW RESPECTING THE KEEPING OF ANIMALS**

WHEREAS the Council of the Corporation of the City of Port Colborne enacted By-law 4086/81/01, A By-law Respecting the Keeping of Animals, on the 25th day of June 2001.

AND WHEREAS by adoption of Department of Community and Corporate Services, Clerk's Division, Director's Report No. 2004-45 on December 13, 2004, the Council of the Corporation of the City of Port Colborne approved an amendment to By-law 4086/81/01 to remove the fennec fox from the schedule of "prohibited or dangerous animals" and to add it to the schedule of "restricted animals" so as to allow the keeping of the fennec fox within the City of Port Colborne;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF
PORT COLBORNE ENACTS AS FOLLOWS:**

1. That Schedule "B" to By-law 4086/81/01 "Prohibited or Dangerous Animals" be amended by deleting therefrom the following: "5. Canids, except the domestic dog." and substituting therefor the following "5. Canids, except the domestic dog and the fennec fox."
2. That Schedule "A" to By-law 4086/81/01 "Restricted Animals" be amended by adding thereto the following: "6. All fennec foxes."
3. That this by-law shall come into force and take effect on the date of final passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10TH
DAY OF JANUARY, 2005.**



Ronald Bodner
MAYOR



Janet Beckett
CLERK

The Corporation of the City of Port Colborne

By-law No. _____

Being a by-law to Adopt, Ratify and Confirm the proceedings of the Council of The Corporation of the City of Port Colborne at its Special Meeting of June 17, 2025

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council; and

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Special Meeting of June 17, 2025, upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof.
2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or with respect to the exercise of any powers by the Council, then this by-law is deemed for all purposes to be the by-law required for such authorization or exercise of any powers.
3. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.
4. That the Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law.

Enacted and passed this 17th, day of June, 2025.

William C. Steele
Mayor

Charlotte Madden
City Clerk