

NO: R141

COUNCIL DATE: **June 13, 2016**

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 18, 2016**

FROM: **General Manager, Planning and Development**

FILE: **6430-19**

SUBJECT: **Bylaw Amendments for the Regulation of Domestic Hens**

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## RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information;
2. Authorize the City Clerk to introduce a bylaw to amend the Surrey Zoning Bylaw 1993, No. 12000 in order to regulate the number of hens and the siting of coops used to house hens on residential lots that are less than 1 acre but greater than 7,200 square feet, as contained in Appendix "I";
3. Authorize the City Clerk to introduce a new "Chicken Keeping Bylaw", in order to control the keeping of domestic hens on residential zoned lots mentioned above, as contained in Appendix "II"; and
4. Authorize the City Clerk to introduce an amendment to the Municipal Ticket Information Utilization Bylaw, 1994, No. 12508, in order to include a municipal ticket fee as proposed in the Chicken Keeping Bylaw, and as contained in Appendix "III".

## INTENT

The purpose of this report is to provide Council with a summary of the outcomes of the Backyard Chicken Pilot Project and to seek Council approval of regulations related to the keeping of domestic hens in residential areas of the City, through:

- A Zoning Bylaw amendment to reduce the minimum lot size for keeping a limited number of hens from 1 acre to 7,200 square feet;
- A new Chicken Keeping Bylaw to regulate various aspects of the care and registration of domestic hens; and
- A Municipal Ticket Information Utilization Bylaw amendment to allow appropriate tickets to be issued for persons in non-conformance with the proposed bylaw requirements.

These amendments will permit and regulate the keeping of hens on urban residential lots in the City, as long as they are first registered with the City and the Provincial Poultry Premise Identification Program (“BCPID”).

## **BACKGROUND**

The Zoning Bylaw currently prohibits the keeping of chickens on lots less than 1 acre in size. In response to citizen delegations to the Surrey Agriculture and Food Security Advisory Committee (“AFSAC”) and to City Council, the City initiated a backyard chicken keeping pilot project in September 2013. This pilot project was supported by the AFSAC and authorized by Council by way of resolution RES13-1390.

### **Existing Regulations for Keeping of Poultry in Surrey**

Surrey’s current regulations related to urban chickens are contained in the General Provisions section of the Zoning Bylaw. These state that for a One-Acre Residential (RA) zoned property that has a minimum lot size of 0.4 ha (1 acre), 12 head of poultry (excluding roosters) are permitted per acre. This provision also applies to properties which are zoned Half-Acre Residential (RH), Single Family Residential (RF) and Single Family Residential Secondary Suite (RF-SS). The Zoning Bylaw also regulates the siting of buildings and structures used to shelter the animals, through minimum setbacks – a 36 metre (120 foot) front yard, 7.5 metre (25 foot) rear yard, 7.5 metre (25 foot) side yard and 36 metre (120 foot) side yard on a flanking street.

Poultry is also permitted in the RA and RH zones without limiting the number of chickens, but only where a lot is two hectares (five acres) or more in area. In areas zoned General Agriculture (A-1) Zone and Intensive Agriculture (A-2) there are no restrictions on the number or type of poultry that may be kept as part of a poultry farm. The majority of these properties are within the OCP Agricultural designation and within the Agricultural Land Reserve (ALR). It should be noted that other residential zones such as RA-G, RH-G and CD as well as multifamily or mobile home park lots do not permit chickens, even when lots are larger than 1 acre in size.

### **Pilot Project**

The Backyard Chicken Keeping Pilot Project allowed a select number of Surrey residents (on a first come first serve basis) to register with the City and participate in urban hen keeping on lots smaller than the 1 acre minimum Zoning Bylaw requirement, but larger than ¼ acre (approximately 10,000 sq. ft.). In the fall of 2014, this pilot project was extended and the minimum lot size requirement of 10,000 square feet was further reduced to 7,200 square feet, based on feedback from Surrey residents and supported by an AFSAC recommendation.

The pilot project was intended to understand the implications of permitting backyard chickens in the Surrey context, and to establish a policy framework for potential bylaw amendments to ensure adequate regulation if Council were to consider permitting the keeping of hens in urban areas.

The pilot project has now come to an end and City staff is seeking Council approval of a set of related amended and new bylaws. Appendix “IV” shows the process related to the Backyard Chicken Pilot Project, and the subsequent steps that have led to the regulatory changes proposed in this report.

## DISCUSSION

### **Backyard Chicken Pilot Project Results**

During the initial phase of the Backyard Chicken Pilot Project, the City received 15 citizen requests to register and participate in the project. The guidelines for the pilot project were established in consultation with AFSAC, and expectations, registration information, guidelines, and other requirements were communicated to prospective participants in advance of granting authorization to keep hens. Processes for application, approval, site monitoring, and data collection were developed to ensure appropriate sites, adherence to established parameters, and to gather information for pilot project review and evaluation.

Over the approximately 2 year duration of the extended pilot project a total of 34 properties were formally registered. These 34 participating properties varied in terms of lot size, neighbourhood context and the experience levels of the hen keepers. The location of pilot project properties is shown in Appendix “V”. Although formal inspections were not conducted for all project participants, several “spot check” site investigations were conducted by Bylaw Enforcement staff and Planning staff during the pilot project, which gave insight into the guideline standards and aspects that could be improved.

### Pilot Project Complaints

In 2012-2013 (prior to the initiation of the pilot project) the City received 68 complaints regarding the keeping of chickens in the City. During the first year of the pilot project the City received 31 complaints, dropping to 25 complaints during the second year of the pilot project. Almost all of these complaints were related to properties that were not part of the pilot project: throughout the entire duration of the pilot project only 2 of the 34 registered properties received bylaw related complaints.

The City formally responded to citizen complaints at two of the pilot sites, and these complaints were investigated promptly by Bylaw Control Officers who worked to resolve issues amicably between neighbours, working in conjunction with Planning and Development staff to ensure the pilot project guidelines were followed. Appendix “VI” shows the location of pilot project properties registered with the City in relation to the locations of all properties that received a chicken related complaint during the pilot project time period.

### Public Consultation

During the more than 2 year pilot project, City staff received numerous phone calls and emails, partly in response to information about the pilot project on the City’s website. Advocates for urban hen-keeping have had an active voice in relation to the pilot project and the drafting of policy. A Surrey chapter of CLUCK (Canadian Liberated Urban Chicken KLUB) has formed called ‘Surrey Urban Chicken’. This group’s mandate is to promote chicken keeping in Surrey in a support and capacity building role and serves to educate and inform people who are interested in keeping hens.

Comments received by email or telephone contacts during the pilot project included urging the City to:

- Consider allowing ducks or other birds as an alternative to chickens.
- Consider a minimum amount of lot area per bird instead of establishing a single minimum lot size.
- Consider reducing the minimum lot size requirements from 10,000 square feet to 7,200 square feet (this was done in the second year of the pilot project).
- Consider allowing up to 8 hens per lot, since many hens have different laying cycles and more hens allows for a constant supply of eggs.
- Ensure that manure is stored or disposed of in a timely and proper manner.
- Ensure that chickens are kept in a humane fashion.

Staff reported to AFSAC on these comments at several points and received valuable input and guidance in crafting the draft policy outlined in this report.

Staff is of the opinion that the pilot project was a success and that the proposed regulations strike an appropriate balance between support for urban agriculture and concerns related to noise, waste management, and protection of commercial poultry operations.

### **Policy Issues and Opportunities**

The keeping of domestic hens in urban areas is an issue of growing interest and debate in the City and the Metro Vancouver region as a whole. In recent years the City has received a number of unsolicited letters and emails advocating for the approval of urban chickens, as well as concerns regarding the keeping of chickens on smaller lots.

#### Issues Raised

Issues that have been raised in regard to keeping backyard chickens include:

- Health concerns linked with avian influenza and other avian diseases;
- Nuisance concerns for neighbours such as noise, smell and rodent control;
- Animal care concerns such as chickens' living conditions, and the proper slaughter and disposal of deceased birds; and
- Property value impacts.

For AFSAC members a key concern is the close proximity of Surrey's urban neighbourhoods to large scale poultry operations and the risk that urban chickens may cause to commercial poultry operations or the public in the event of an outbreak of avian influenza or other chicken-borne diseases.

#### Opportunities

The keeping of urban chickens is often cited as a key component of 'urban agriculture' and is consistent with policy directions in the Surrey Sustainability Charter. Urban chickens consume food scraps, insects, and weeds while providing fresh eggs. A productive, healthy hen can be expected to lay about five to six eggs a week from about six months to five years of age, depending on the breed.

Policy in other Jurisdictions

Major cities such as New York, Chicago, Portland, and Seattle allow backyard hens on urban lots. In Metro Vancouver, chickens can be kept in Vancouver, North Vancouver, New Westminister, Delta, Port Coquitlam, and Maple Ridge, and on Vancouver Island in Victoria and Saanich. The City of Richmond permits chickens on lots larger than ½ acre, while in Burnaby chickens are limited to agricultural zoned lots.

On the other hand, several Lower Mainland municipalities have either tabled or denied citizen-led requests to permit urban chickens, including the Township of Langley, the City of Pitt Meadows, and the City of Abbotsford. In these cases, concerns with the proximity to active commercial poultry operations and producer concerns over avian influenza seemed to be the main reasons for denying these requests.

**Proposed Urban Hen-keeping Regulations**

Based on the results of the pilot project, on comments received from the public and AFSAC and on a review of regulations in other jurisdictions, staff in the Planning and Development Department and the Bylaw Enforcement and Licensing Services Division have developed a set of regulations related to urban chickens for Council’s consideration. This proposed program of regulations has five inter-related components, as outlined below:

- Zoning Bylaw amendments.
- A new Chicken Keeping Bylaw.
- A registration process with the City and the Provincial PID program.
- Inclusion in the MTI system.
- Implementation including print and web-based information materials.

Proposed Zoning Bylaw Amendments

The proposed Zoning Bylaw amendments set out basic parameters for keeping urban chickens, including applicable zones, minimum lot size, maximum numbers of birds, and coop setbacks. The table below summarizes the proposed Zoning Bylaw amendments. The specific proposed text amendments are attached as Appendix “I”.

<b>Summary of Proposed Zoning Amendment Standards</b>	
Zones proposed to allow Hens	<ul style="list-style-type: none"> <li>• RA, RA-G, RH, RH-G, RF, RF-SS, and RF-G Zones</li> </ul>
Minimum Lot Size requirement	<ul style="list-style-type: none"> <li>• Lots must be greater than 669 square meters [7,200 sq.ft.]</li> </ul>
Maximum Number of Hens Permitted	<ul style="list-style-type: none"> <li>• *Allows for up to four hens, excluding roosters on a lot less than 1 Acre.</li> </ul>

Minimum Coop Setbacks	<ul style="list-style-type: none"><li>• Located in the rear yard behind a dwelling;</li><li>• 3.0 meters from any dwelling unit on or off the property;</li><li>• 1.2 meters from the rear and side yard lot lines;</li><li>• 3.0 meters from the side yard on a flanking street.</li></ul>
<i>* The existing zoning regulations allowing for twelve (12) head of poultry (excluding roosters) for every 1 acre on lots with the minimum lot size of 1 acre would not change.</i>	

### **Proposed new Chicken Keeping Bylaw requirements**

In support of the proposed Zoning Bylaw amendments, a proposed Chicken Keeping Bylaw further regulates aspects of the keeping of urban chickens based on best practices, lessons learned from Surrey’s pilot project, and input from the AFSAC. The proposed Chicken Keeping Bylaw requirements include:

- Coop and outdoor enclosure design, operation and maintenance standards;
- Standards for providing adequate food, water, shelter, feed, manure management, and maintaining general health;
- Prohibitions on using domestic hens and eggs for anything other than personal use;
- Registration requirements for hens with the City, including registration with the Provincial BCPID program;
- Inspection privileges by City Bylaws Officers; and
- Penalties and Municipal Ticket information for non-compliance with the bylaw.

The proposed Chicken Keeping Bylaw text is attached as Appendix “II”.

### City Hen Registration

A key aspect of the proposed Chicken Keeping Bylaw is the requirement that every hen kept on a residential-zoned lot (under 1 acre) must be registered with the City. This registration is free but mandatory, and may be made by mail, email, or online. This registration will allow tracking of where chickens are located, and will ensure City bylaw standards are reviewed prior to the purchase of hens.

A sample of the draft registration form is attached as Appendix “VII”.

### Provincial Poultry Premises Identification Program Registration (BC PID)

A condition of registration with the City is registration with the Provincial Ministry of Agriculture’s BCPID program. A BCPID number is a unique code assigned by the Ministry to each property where livestock or poultry are kept. As recommended by the AFSAC, the proposed Chicken Keeping Bylaw will require the submission of a valid and current BCPID registration number prior to completing the registration with the City, in order to ensure:

- Maintaining an up to date list of premises that have hens in the City;
- Rapid notification by the Ministry of poultry related information to backyard chicken owners;
- Preparedness for animal health, natural disaster and food safety emergencies (for example, an avian flu outbreak); and
- Facilitation of rapid evacuation of animals in a natural disaster emergency (for example, floods or fire).

There is no cost to register and obtain a premises ID number from the Ministry, and applications may be submitted by mail, email, online or in person. A copy of the BCPID registration form and frequently asked questions sheet is available from any Ministry office or online.

### **Summary of Proposed Municipal Ticket Bylaw Amendment**

The *Community Charter* gives the City the authority to enforce regulatory bylaws by way of a Municipal Ticket Information ("MTI ticket"). Pursuant to this authority, it is proposed that the City enact an amendment to the MTI Bylaw which would designate the Chicken Keeping Bylaw as a regulatory bylaw that may be enforced by way of MTI tickets, would specify the persons who have the authority to write MTI tickets, and set a specified fine amount for each violation type.

City Bylaw Enforcement staff will have authority to write the MTI tickets for the proposed Chicken Keeping Bylaw. This will provide the City with an efficient and expedient method to enforce the bylaw. Fine amounts are set with reference to the minimum and maximum fines prescribed in the proposed bylaw as well as the seriousness of the offence. Proposed fine amounts range from a minimum of \$100.00 to a maximum of \$250.00 as set out in Appendix "III".

### **Proposed Bylaw Implementation**

There are approximately 3,000 residential zoned lots that are greater than 1 acre that are currently eligible to keep chickens within the City under the existing zoning regulations. If Council adopts the proposed Zoning Bylaw amendments proposed in this report, it is estimated that an additional 50,000 properties will become eligible to keep hens; however, it is expected that of these newly eligible lots, only a small fraction (< 1%) will consider keeping backyard hens resulting in perhaps a few hundred registrations in the coming years, based on the experience of other municipalities that have adopted similar bylaw standards.

As part of the implementation of new bylaw standards, staff will ensure all necessary actions needed to implement the bylaw regulations are put into place including, but not limited to:

- Sending letters to the participants in the current pilot project, as well as those who have shown interest during the pilot, providing them a link to this report and inviting them to consider registering with the City under the new bylaw provisions;
- Updating the City's website with relevant information related to the Zoning Bylaw and Chicken Keeping Bylaw standards, including an online registration form, a frequently asked questions guide, and a backyard chicken information guide as provided in draft form in Appendix "VIII";
- Using the City's social media outreach to inform and engage residents of the new bylaw standards; and

- Monitoring new registrations and any issues or concerns expressed, in order to ensure the success of program, and to allow reporting back to Council, as required.

### **Legal Review**

The Legal Services Division has reviewed the proposed bylaw and amendment bylaws and has expressed no concerns.

### **Bylaw Enforcement and Licensing Review**

The Bylaw Enforcement and Licensing Services Division has reviewed the proposed bylaw and amendments and has worked with the Planning and Development department staff to anticipate and plan for administrative and bylaw enforcement changes that may be required to accommodate the proposed bylaw amendments.

### **SUSTAINABILITY CONSIDERATIONS**

The proposed backyard chicken regulations are consistent with Sustainability Charter goals and objectives related to food security and urban agriculture. The Charter states that, “Food security is achieved when community residents have access to a safe, affordable, culturally acceptable, nutritionally adequate diet through a system that maximizes community self-reliance, environmental sustainability and social justice.”

Scope item SC12 of the Charter also indicates that to support food security, the City will:

1. Develop policy and research ways to support local food production; and
2. Promote buying local farm products, urban agriculture and encourage new methods for food production.

The Draft Sustainability Charter 2.0 currently under review indicates that built environments and neighbourhoods should be designed to provide opportunities for community food production which can be integrated into the private and public realm such as backyards.

### **CONCLUSION**

It is recommended that Council direct staff to take the necessary actions as to move forward with the regulatory changes identified in this report and to:

- Introduce an amending bylaw to the Surrey Zoning Bylaw 1993, No. 12000 in order to regulate the minimum lot size, and set the maximum number of hens permitted to be kept on residential lots, as documented in Appendix “I”;
- Bring forward a proposed Chicken Keeping Bylaw for Council’s consideration, in order to regulate and require registry of domestic chickens, as contained in Appendix “II”; and
- Introduce a bylaw to amend the Municipal Ticket Information Utilization By-law, 1994, No. 12508 related to the Chicken Keeping Bylaw, as contained in Appendix “III”.



*Original signed by*  
Jean Lamontagne  
General Manager,  
Planning and Development

MK/KM/DL:ss

Appendix "I" – Proposed "Surrey Zoning Amendment Bylaw"

Appendix "II" – Proposed "Surrey Chicken Keeping Bylaw"

Appendix "III" – Proposed "Municipal Ticket Information Utilization Amendment Bylaw"

Appendix "IV" – Summary of Surrey Chicken Pilot Project Process and History

Appendix "V" – Location of Backyard Chicken Pilot Project Registered Properties 2013-2015

Appendix "VI" – Location of Chicken Related Complaints Investigated by the City from 2013-2015

Appendix "VII" – Draft City of Surrey Chicken Registration Form

Appendix "VIII" – Draft Surrey Hen Information Guide and FAQ sheet

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**Proposed Amendments to  
Surrey Zoning By-law No. 12000, as amended**

The following amendments are proposed to Surrey Zoning By-law, 1993, No. 12000, as amended:

**AMENDMENTS TO PART 4 GENERAL PROVISIONS**

**1. Keeping of Animals**

Amend Section B. Uses Permitted in Specific Zones, as follows:

- In Sub-section B.7(c), delete the word “The”, and insert the words “Despite Sub-section 7(a), the ”, before the word “keeping”.
- After Sub-section B.7(c), insert the following new Sub-section:

“(d) Despite Sub-section 7(a), the keeping of chickens may be permitted in the RA, RA-G, RH, RH-G, RF, RF-SS, and RF-G Zones, where the *lot* is greater than 669 square meters [7,200 sq.ft.] but less than 0.4 hectares [1 acre], provided that:

- i. the total number of chickens shall not exceed 4 hens on each *lot*;
- ii. no roosters are permitted on any *lot*;
- iii. *buildings and structures* to shelter hens shall be situated a minimum of 3.0 m. [10 ft.] from any *dwelling unit*, and shall be sited with the following minimum *setbacks*:

Front Yard	Rear Yard	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
20.0 m. [66 ft.]	1.2 m. [4 ft.]	1.2 m. [4 ft.]	3.0 m. [10 ft.]

- iv. the keeping of hens is subject to the "Surrey Chicken Keeping Bylaw”.

CITY OF SURREY

BYLAW NO. #####

A Bylaw to regulate the control and keeping of domestic chickens on residential lots greater than 669 square meters [7,200 sq. ft.] but less than 0.4 hectares [1 acre].  
.....

WHEREAS it is deemed expedient to regulate and control the keeping of domestic chickens on lots greater than 669 square meters [7,200 square feet] but less than 0.4 hectares [1 acre] within the City of Surrey;

The Council of the City of Surrey, in open meeting assembled, and pursuant to the powers vested in it under Section 318(1) of the *Local Government Act*, R.S.B.C. 2015, c. 1 ENACTS as follows:

**TITLE**

1. This Bylaw may be cited as the "Surrey Chicken Keeping Bylaw, 2016, No. #####".

**DEFINITIONS**

2. In this Bylaw, unless the context otherwise requires:

“**City**” means the City of Surrey;

“**Coop**” means a weather proof structure with walls and a roof used for the shelter of Hens;

“**Hen**” means a female chicken;

“**Keep**” means the act of having the care, custody, control or possession of an animal;

“**Outdoor Enclosure**” means an open-air area attached to and forming part of a Coop having a bare earth or vegetated floor for Hens to roam, that has a roof and is enclosed with chicken wire or other fencing material; and

“**Rooster**” means a male chicken.

**PURPOSE**

3. The purpose of this Bylaw is to regulate and control the Keeping of chickens for domestic

use where the lot is greater than 669 square meters [7,200 square feet] but less than 0.4 hectares [1 acre], in the following residential zones identified in Surrey Zoning Bylaw, 1993, No. 12000, as amended:

- (a) One-Acre Residential (RA) zone;
  - (b) Acreage Residential Gross Density (RA-G) zone;
  - (c) Half-Acre Residential (RH) zone;
  - (d) Half-Acre Residential Gross Density (RH-G) zone;
  - (e) Single Family Residential (RF) zone;
  - (f) Single Family Residential Secondary Suite (RF-SS) zone; and
  - (g) Single Family Residential Gross Density (RF-G) zone.
4. This Bylaw does not apply to any lands not specifically described in Section 3 of this Bylaw.

#### **NUMBER OF HENS**

5. A maximum of 4 Hens, but no Roosters, are permitted on lands described in Section 3 of this Bylaw.

#### **HEN REGISTRATION**

6. A person may not Keep a Hen unless that person first submits a completed Hen registration application to the City and receives validation of registration from the City.
7. The City may not validate a Hen registration application form unless satisfied that:
- (a) the applicant is the owner of the lot and resides on the lot on which the Hens will be Kept, or the applicant resides on the lot and has written consent from the owner of the lot to Keep Hens on the lot;
  - (b) a valid British Columbia Poultry Premises Identification number obtained from the Ministry of Agriculture, is provided to the City for the lot; and
  - (c) all other required information on the City's Hen application form has been provided.
8. A validated Hen registration is not transferable from one person to another or from one lot to another.

9. Every validated Hen registration under this Bylaw will terminate if the owner or occupier of the lot named in the registration changes.

## **COOP AND OUTDOOR ENCLOSURE**

10. A person who Keeps Hens shall:
  - (a) ensure that a Coop and Outdoor Enclosure is provided on the lot;
  - (b) ensure that the Coop is sited within the required setbacks identified in Surrey Zoning Bylaw, 1993, No.12000, as amended;
  - (c) provide each Hen with at least 0.37 square meters [4 square feet] of interior Coop floor area and at least 0.92 square meters (10 square feet) of Outdoor Enclosure area;
  - (d) provide each Hen with at least one nest box and one perch, that is at least 15 centimeters [6 inches] long, within a Coop;
  - (e) maintain the Coop and Outdoor Enclosure in good repair and in a sanitary condition, free from vermin and noxious or offensive smells and substances; and
  - (f) ensure the Coop and Outdoor Enclosure are secured from sunset to sunrise.

## **THE KEEPING OF HENS**

11. A person who Keeps Hens shall:
  - (a) provide each Hen with food, water, light, ventilation, and care, sufficient to maintain the Hen in good health;
  - (b) store feed within a fully enclosed container and remove any leftover feed in a timely manner;
  - (c) store manure produced by Hens within a fully enclosed container, with no more than 0.08 cubic meters [2.8 cubic feet] of manure stored on the lot at a time and ensure removal of all other manure not used for composting or fertilizing in a timely manner;
  - (d) display a valid British Columbia Poultry Premises Identification number on the lot where the Hens are kept; and
  - (e) immediately consult a licensed veterinarian in the event that a Hen becomes infected with an infectious or communicable disease. If the diagnosis of the veterinarian confirms that the Hen is infected with an infectious or communicable

disease:

- i. if the person is not the owner of the lot, immediately notify the owner of the lot; and
- ii. both the person and the owner of the lot shall immediately adhere to national avian on-farm biosecurity standards recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak.

## **PROHIBITIONS**

12. A person who keeps Hens shall not:
  - (a) sell eggs, manure, meat, or other products derived from Hens;
  - (b) slaughter a Hen on the lot;
  - (c) dispose of a Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to keep or dispose of Hens; or
  - (d) keep a Hen in a cage, kennel, or any structure or building other than a Coop and Outdoor Enclosure, including in, upon, or under any building used for human habitation.

## **INSPECTIONS**

13. The City Bylaw Manager, or his or her duly authorized representatives, are hereby authorized and empowered to enter at all reasonable times into or upon any lands or premises to ascertain whether the provisions of this Bylaw are being kept or have been complied with, and may take any such action as deemed necessary to ensure that the provisions of this Bylaw are complied with.
14. It shall be unlawful for any person to prevent or obstruct the entry of the City Bylaw Manager, or his or her duly authorized representative, into or upon any lands or premises, for the purpose of carrying out any inspections under this Bylaw.

## **OFFENCES AND PENALTIES**

15. Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw or who neglects to do or refrains from doing any act or thing required by this Bylaw shall be guilty of an offence under this Bylaw and shall be liable on summary conviction to a penalty of not less than One Hundred (\$100) Dollars and not more than One Thousand (\$1,000.00) dollars together with the cost of the prosecution. Each day that such violation is permitted to exist shall constitute a separate offence.

**CONFLICT**

16. Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other City bylaw, or any requirement of any lawful permit, order or license. Where this Bylaw conflicts with any other bylaws respecting animals, this Bylaw prevails to the extent of the conflict.

PASSED FIRST READING on the \_\_ day of \_\_\_\_\_, 2016.

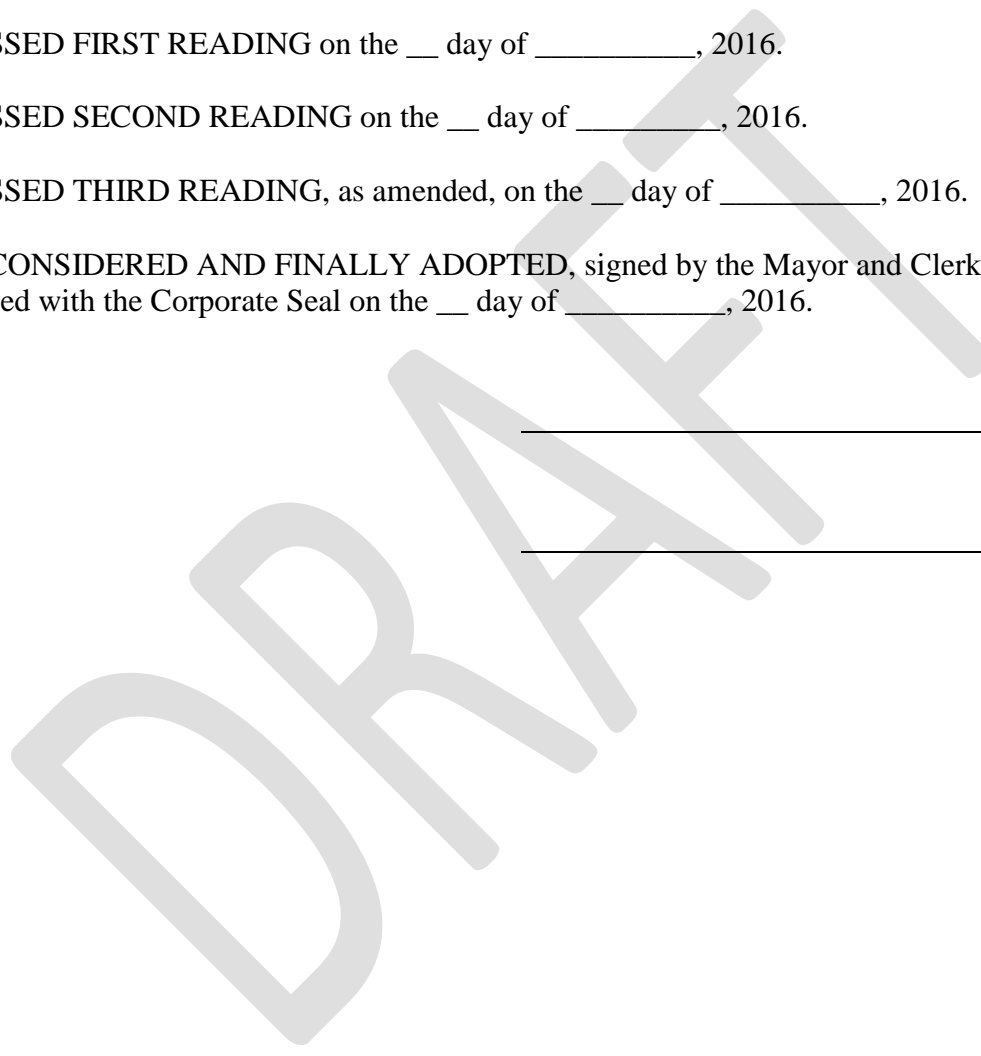
PASSED SECOND READING on the \_\_ day of \_\_\_\_\_, 2016.

PASSED THIRD READING, as amended, on the \_\_ day of \_\_\_\_\_, 2016.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the \_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK



**Proposed Amendments to  
Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508**

Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, as amended, be further amended as follows:

1. Sections 3 and 4 are amended by deleting the words "Schedules 2 through 32" and inserting the words "Schedules 2 through 33" in their place.
2. Schedule 1 is amended by adding new Section 33 immediately after Section 32 as follows:
  33. Surrey Chicken Keeping Bylaw, 2016, - Manager, By-laws & Licensing Services  
No.            - Senior By-law Enforcement Officer  
- By-law Enforcement Officer
3. Insert the attached new Schedule 33:



SURREY CHICKEN KEEPING  
BYLAW, 2016, NO. [REDACTED]

SECTION

FINE

		<u>SECTION</u>	<u>FINE</u>
1.	Hens not permitted	5	\$100.00
2.	More than 4 hens	5	\$150.00
3.	Rooster not permitted	5	\$150.00
4.	No hen registration	6	\$100.00
5.	Inadequate hen shelter	11	\$150.00
6.	Fail to clean coop / hen enclosure	12	\$150.00
7.	Sale of hen products	13(a)	\$250.00
8.	Slaughter of hen on residential lot	13(b)	\$250.00
9.	Hen in habitable building	13(d)	\$150.00

# BACKGROUND SUMMARY OF SURREY BACKYARD CHICKEN PILOT

## PROJECT PROCESS AND HISTORY

*Process Start*

**May 2013, Council Delegation by Surrey Resident requesting Council consideration of a Backyard Chicken Pilot Project.**

**June 13, 2013 - AFSAC meeting motion regarding Delegation for Backyard Hen Pilot**

- Recommend Council Consider a one-year Pilot Project
- Staff prepare draft guidelines for Single Family lots >1/4 Acre and up to 4 Hens

**July 8, 2013 - Council meeting Resolution**

- Staff Initiate 1 year Pilot Project
- Pilot Project Guidelines Established

**September 2013 - Project Initiation and Individual Pilot Applications**

- Application deadline extended from October until May, 30 2014
- 15 Applications received by the City.

**June 2014 - AFSAC Update**

- AFSAC recommends extending the Pilot & reduces Lot size from ¼ Acre to 7,200 square feet.
- Minor setback and FAQ modifications suggested.

**July 2014 - Pilot Project is Extended for one Additional Year**

- Guidelines Revised to meet AFSAC recommendations and deadline extended to allow registration until May 30, 2015.
- Pilot expiry extended until October 31, 2015.

**New Applications to Pilot Project are received by the City**

- An additional 20+ Applications received by the City up until May 30 2015.

**September 2015, AFSAC Update**

- AFSAC Comment on proposed bylaw standards, and recommends slight modification to standards.

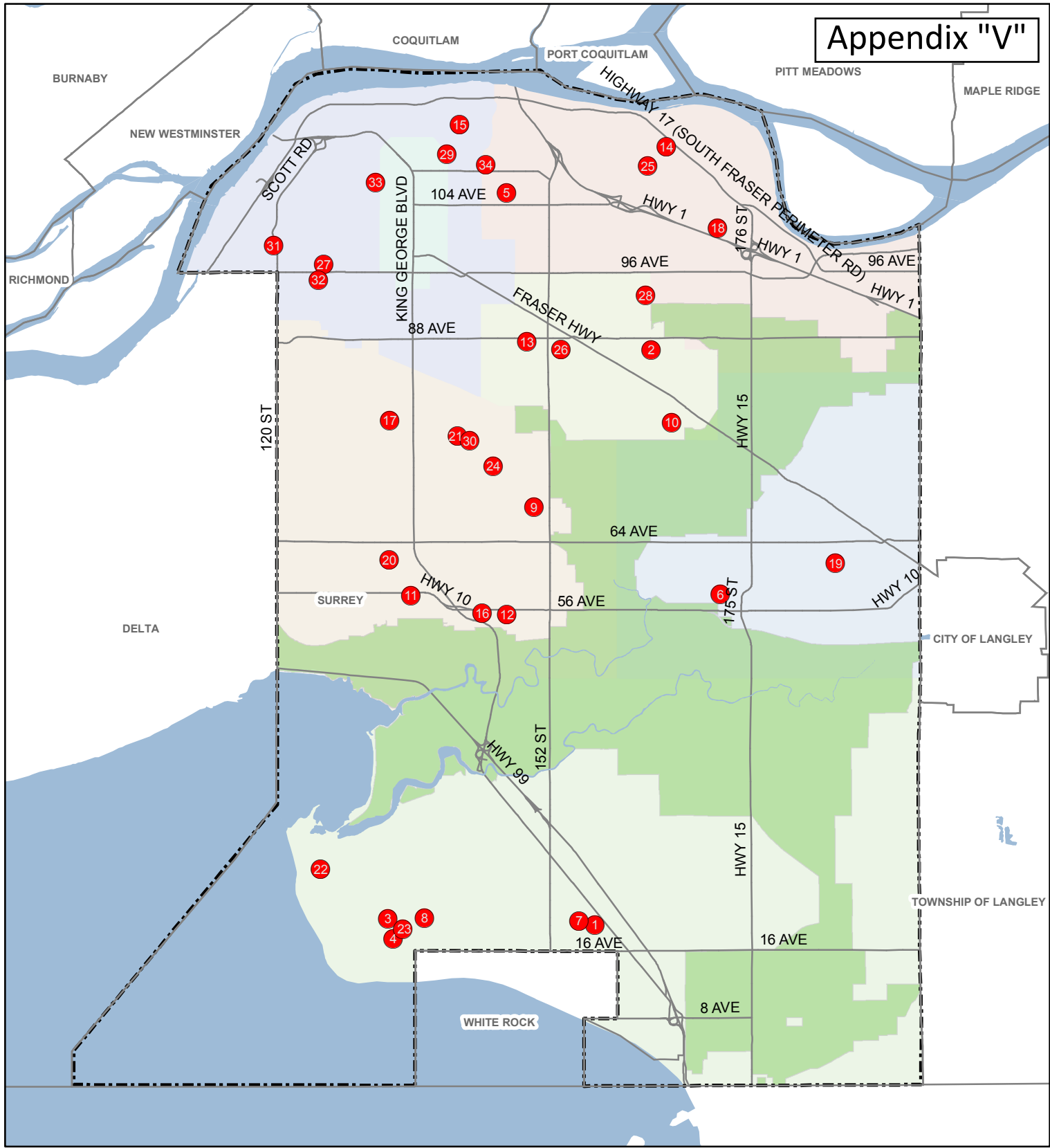
**March 2016 AFSAC presented DRAFT BYLAW Standards**

- AFSAC recommends staff move forward with draft bylaw proposal and bring report forward to Council following a legal department review.

**May 30, 2016 - Report drafted and Proposed Bylaw Standards provided to Council For Consideration.**



*We are here.*



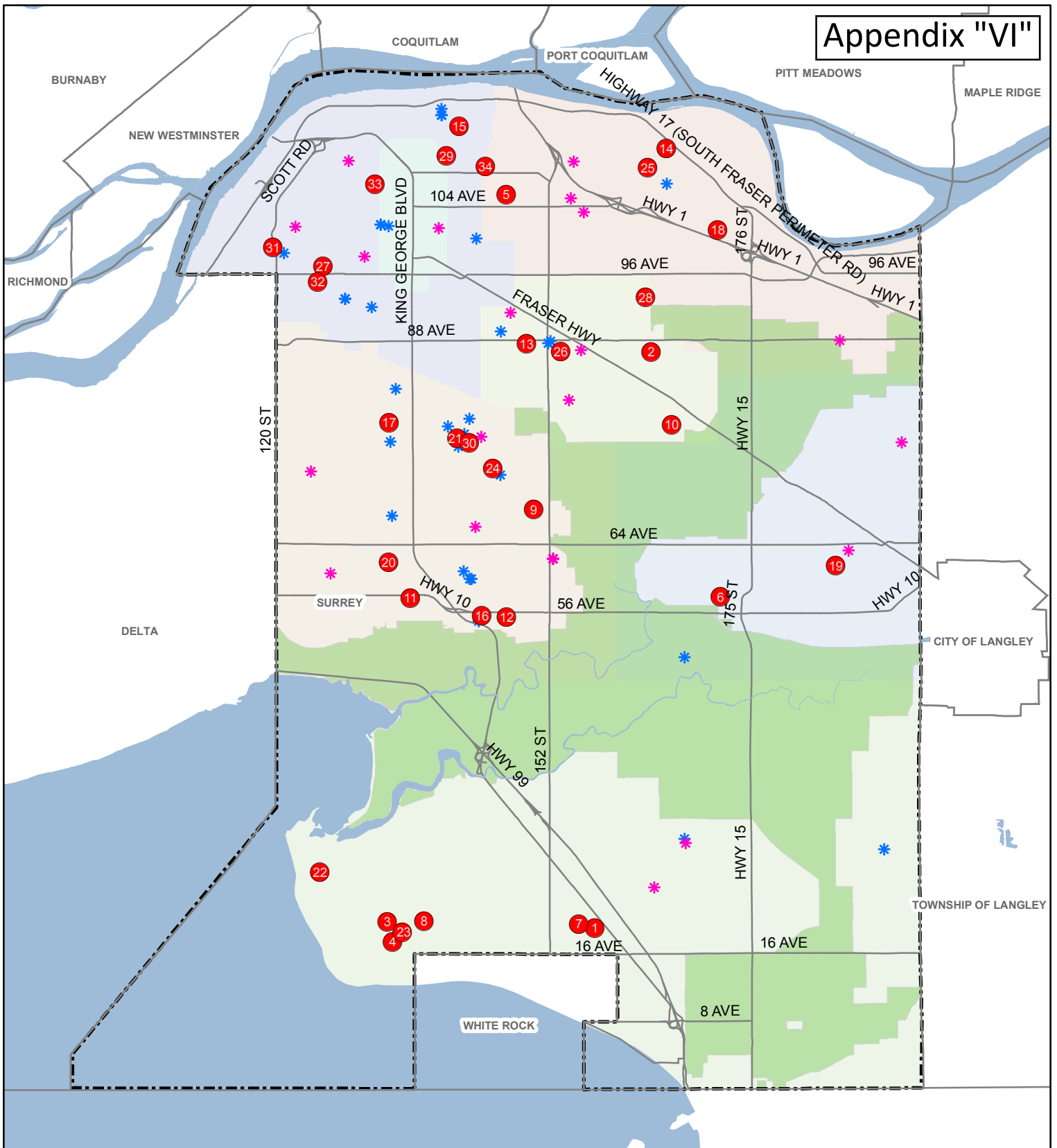
## Surrey Backyard Chicken Pilot Project: Registrations 2013-2015

### Legend

- Surrey Backyard Chicken Pilot Project Registrations (2013-2015)
- Agricultural Land Reserve
- Surrey City Boundary



1:125,000



## Surrey Backyard Chicken Pilot Project: Registrations 2013-2015 compared to Bylaw Complaints

### Legend

- Surrey Backyard Chicken Pilot Project Registrations (2013-2015)
- ✱ Chicken Related Bylaw Complaints: Sept 2014-July 2015
- ✱ Chicken Related Bylaw Complaints: Sept 2013-May 2014
- Agricultural Land Reserve
- Surrey City Boundary



2.5 1.25 0 2.5 Kilometers



1:125,000

**Backyard Hen Registry**

Every chicken kept on a residential zoned lot less than 1 Acre is required to be registered with the City. Registration is free, but mandatory, and may be made online, by mail, or by email. The Surrey Zoning Bylaw 1993, No. 12000 explains the rules and requirements for the minimum lot size, location of your coop, and the amount of hens permitted to be kept on a residential lot. The Surrey Chicken Keeping Bylaw 2016, No. ##### explains the rules and requirements for the keeping of backyard hens, including the size of your coop; how to protect the health of people living in the area; as well as ensure that the hens are treated humanely.

Please fill in this form to register your information. If information is authenticated by the city, a confirmation of your registration to keep hens will be provided by the Bylaws division within 7-12 business days.

<b>*Hen Owner:</b>	<input type="text"/>		<input type="text"/>	
	First Name		Last Name	
<b>*Address:</b>	<input type="text"/>	<input type="text"/>		<input type="text"/>
	Street No	Street Name		Unit
<b>*City</b>	<input type="text" value="Surrey"/>			
<b>Postal Code</b>	<input type="text"/>			
<b>*Phone Number(s)</b> <i>enter at least one</i>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Home	Cell	Work	
<b>Email</b>	<input type="text"/>			
<b>Property Zoning</b>	Choose Zoning.			
<b>Property Size</b>	Choose Property Size.			
<b>*BCPID #</b>	<input type="text"/>			
	<i>( 9 Digit B.C. Premises ID Registration # for a Poultry Premises provided by Ministry of Agriculture)</i>			
<b># of Hens to be kept on the lot:</b>	<input type="text"/>			
<b>Comments:</b>	<input type="text"/>			
	<input type="checkbox"/> I confirm that I reside on the above property and/or have written consent from the owner of the above property to keep chickens. <input type="checkbox"/> I confirm that I have read and understand the information regarding Backyard Hen Registry and will comply with the City of Surrey Backyard Chicken Bylaw requirements.			
	<input type="button" value="Print"/>		<input type="button" value="Submit Online"/>	
			<input type="button" value="Email"/>	

\*Mandatory information.

After completing this form, please submit it via:

E-mail: [backyardhens@surrey.ca](mailto:backyardhens@surrey.ca)

Fax: 604-591-4370, or Mail: City of Surrey, Bylaw and Licensing Services, 13450 – 104 Ave, Surrey BC, V3T 1V8

### Learn the rules for keeping Backyard Hens in the City

As part of City efforts to help residents get involved in your own domestic food production, you can now keep chickens in your backyard on single family urban area lots that are more than 7,200 square feet. There are several important rules you will need to comply with in order to keep a backyard chicken coop from being a nuisance for your neighbours, including:

- A maximum of:
  - 12 head of poultry per acre, on lots greater than 1 Acre but less than 5 Acres; or
  - 4 hens per lot, on lots greater than 7,200 square feet but less than 1 Acre
- Roosters are not allowed on lots less than 5 Acres.
- Ducks, turkeys, or other fowl are not allowed on lots less than 1 Acre.
- Eggs, meat, and manure cannot be used for commercial purposes on lots less than 1 Acre.
- Slaughtering of chickens on the property is not allowed on lots less than 5 Acres.

### Steps to keeping backyard hens

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

1. Review the City bylaws to see if you qualify to keep chickens.
2. Learn how to care for hens.
3. Get a British Columbia Premises ID (BCPID) Registration number from the Ministry of Agriculture.
3. Register your property/hens with the City.

#### Step 1: Review the City bylaws

The City Zoning bylaws explain the requirements for keeping backyard hens, including the minimum lot size and coop location details. The Surrey Chicken Keeping Bylaw explains the rules and requirements for the keeping of backyard hens, including the size and design of your coop; how to protect the health of people living in the area; as well as ensure that the hens are treated humanely.

#### Step 2: Learn how to care for hens

Next, you should read the following chicken keeping requirement guide documents, health guides, and frequently asked question sheet page registering to keep hens:

- How to prevent and detect disease in backyard flocks and pet birds;
- Backyard Chicken requirements Guide and Frequently Asked Questions (FAQs),
- Humane considerations for backyard hens;
- Resources for backyard hen owners.

### Step 3: Get a B.C. Premises ID Registration (BCPID) number from the Ministry of Agriculture

A BC Premises ID is a unique nine character code assigned by the Ministry of Agriculture to properties who intend to keep livestock or poultry in the Province. In British Columbia, all Premises ID numbers start with BC (for example: BC449GP7N). There is no financial cost to register and obtain your premises ID # with the Ministry. There are five options for submitting your Premises Registration:

1. Mail your registration to: BCPID, Ministry of Agriculture 1767 Angus Campbell Road Abbotsford, BC V3G 2M3
2. Email a scanned copy of your registration to: [BCPID@gov.bc.ca](mailto:BCPID@gov.bc.ca)
3. Fax your registration to: 604-556-3030
4. Drop off your registration at any BC Ministry of Agriculture office
5. Apply for your registration online at [www.gov.bc.ca/premisesidprogram](http://www.gov.bc.ca/premisesidprogram)

A copy of the BCPID registration form and frequently asked questions sheet is available from the Ministry of Agriculture office or online:

[Download BCPID Form](#)

[Download BCPID FAQ Sheet](#)

Once you receive your unique nine character code from the Ministry, you will then use that ID# to register your hens with the City.

### Step 4: Register your hens with the City

After you review the backyard chicken guide documents and bylaw regulations, and receive your BC PID #, you can go ahead and register your property to keep hens with the City of Surrey. Once you receive validation that your registration has been received and authenticated by the city (via letter or email), you can go ahead and construct a coop and purchase your hens.

There are four options for submitting your Surrey Backyard Hen Registration:

1. Online at [www.surrey.ca/backyardhens.ca](http://www.surrey.ca/backyardhens.ca)
2. Mail your registration to: Backyard Hens, City of Surrey 13450 104 Avenue, V3T 1V8.
3. Email a digital PDF or scanned copy of your registration to: [backyardhens@surrey.ca](mailto:backyardhens@surrey.ca)
4. Drop off your registration at the Surrey City Hall Bylaws and Licensing Office, 13450 104 Avenue

[Download Registration Form](#)

[Register Online](#)

## Questions or Concerns about backyard chickens?

If you have question or are concerned about backyard chickens being kept in your area, contact Surrey By-Law Enforcement Division at 604-591-4370 in order to register a chicken related complaint or register your inquiry online and select Bylaw Enforcement on the form, 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 Bylaw Requirements.

## Frequently Asked Questions (FAQs) and/or Comments

Visit our webpage at [www.surrey.ca/backyardhens.ca](http://www.surrey.ca/backyardhens.ca) and review our [Frequently Asked Question \(FAQ\) Sheet](#) for more information on Backyard Chickens in Surrey.

Visit City Webpage

Download Backyard Chicken FAQ Sheet





# BACKYARD CHICKEN FAQ

SPRING 2016

## May I keep backyard hens on my property?

Properties that are greater than 7,200 square feet and are zoned RA, RA-G, RH, RH-G, RF, RF-G, RF-O, or RF-SS are allowed to keep chickens; as long as the hens are registered with the City of Surrey and all Zoning and Chicken Bylaw requirements are followed. Chickens are not permitted on stratified lots, or lots containing multifamily dwellings or Mobile Home Parks. Agricultural zoned lots greater than 5 Acres in size may keep chickens without the need or registering them with the city.

## How many chickens may I keep on my single family residential property?

A resident of a single family dwelling may keep a maximum of:

- 12 head of poultry per acre, on RA Zoned lots greater than 1 Acre but less than 5 Acres; or
- 4 hens per lot, on single family zoned lots greater than 7,200 square feet but less than 1 Acre.

## How do I register my Chickens?

Those interested in keeping chickens (on lots less than 5 Acres), must first register their property with the City of Surrey by submitting a Registration Form. Registration is free, but mandatory. There are four options for submitting your Backyard Hen Registration, including:

1. Online at [www.surrey.ca/backyardhens.ca](http://www.surrey.ca/backyardhens.ca)
2. Mail your registration form to: Backyard Hens, Bylaws and Licensing Services Division, City of Surrey 13450 104 Avenue, V3T 1V8.
3. Email a digital PDF or scanned copy of your registration to: [backyardhens@surrey.ca](mailto:backyardhens@surrey.ca)
4. Drop off your registration in person at the Surrey Bylaws and Licensing Office, located Surrey City hall at 13450 104 Avenue.

A Provincial Premises Identification (BCPID) Program number is also required in order to register with the City. A Ministry of Agriculture BCPID application form is available online at: [www.gov.bc.ca/premisesidprogram](http://www.gov.bc.ca/premisesidprogram)



# BACKYARD CHICKEN FAQ

SPRING 2016

## Where on our property may we keep chickens?

Every building (Coop) or enclosure used to accommodate chickens must be:

- located within the rear yard of the lot behind a dwelling;
- a minimum 3.0 meters (9.8 feet) from a dwelling;
- a minimum 1.2 meters (3.0 feet) from any lot line;
- a minimum 3.0 meters (9.8 feet) from a flanking street.

## Are roosters allowed in the residential areas of Surrey?

No, roosters are not allowed within Surrey residential zones (lots less than 5 Acres).

## Are people allowed to slaughter chickens on their property?

No, slaughtering of chickens in your backyard is not permitted. Hens at the end of their life will need to be taken to a veterinarian, farm, livestock auction or abattoir.

## Are people allowed to sell the eggs from their property?

No, eggs produced by backyard hens are for personal use only (lots less than 5 Acres).

## What do I do with organic matter 'manure' from Backyard Chickens?

Organic matter 'manure' from backyard chickens may be composted on site for private use in gardens and/or disposed of in city organic carts provided that the manure is appropriately contained within a Kraft paper bag. If complaints are received by the city for excess odors and smells, the city may contact the owner to ensure appropriate practices are in place. Manure may not be sold for commercial purposes.

## Do chickens need to be kept in the Coop at all times?

Yes, a person who keeps Urban Chickens must keep each Hen in the Coop at all times, and keep the coop secured from sunset to sunrise.

## How will hens be protected from inhumane acts?

Owners must comply with City Animal Control bylaw standards, as well as Provincial and Federal standards for care. The BC Prevention of Cruelty to Animals Act also ensures the humane treatment of animals and outlines the powers of their offices, rights of seizure and disposal or sale of animals taken into custody. Reporting of inhumane acts against animals is the responsibility of each of us in our society. Owners should educate themselves on proper maintenance care for Chickens. Owners may wish review resources on urban chickens attached to this FAQ guide as a first step.



# BACKYARD CHICKEN FAQ

SPRING 2016

## Who should a Surrey resident contact in the case they have a complaint about a neighbour keeping chickens?

If you are concerned about backyard chickens in violation of bylaw regulations, contact Surrey By-Law Enforcement and Licensing Animal Control at 604-591-4370 to register a chicken related complaint. Animal Resource Centre (formerly the Surrey Animal Shelter or Pound) at 604-574-6622 may also be able to help chicken owners 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 Pilot Program;
- The number of chickens exceeds guidelines or Roosters are being kept;
- The chickens are not being cared for according to the Pilot Project Guidelines

## How will public health be protected in connection with health risks from chickens?

The following Federal and Provincial Legislation provide standards and guidelines related to health and safety. These acts give Senior, Regional, or Local Government authorities the tools to gather information, inspect, and require mitigation.

**Federal Government - Health of Animals Act - 1990, c. 21** - This Act outlines steps that may be taken by inspectors in the case where diseases (e.g. avian flu) or toxic substances are suspected of being on a site that may affect animals or that may be transmitted by animals to persons. Prohibitions in this act include: concealment, keeping diseased animals and selling or disposing of diseased animals.

<http://lawslois.justice.gc.ca/eng/acts/H-3.3/>

**Canadian Food Inspection Agency** - The agency develops and delivers programs and services designed to protect Canadians from preventable food safety hazards and ensure that food safety emergencies are effectively managed and that the public is aware of--and contribute to--food safety through administration of the Federal Act such as Canadian Agricultural Products Act, the Canadian Food Inspection Agency Act & Feeds Act. - [www.inspection.gc.ca/](http://www.inspection.gc.ca/)

**The BC Government** - provides useful Fact Sheets on different subjects regarding Best Management Practices - [www.al.gov.bc.ca/poultry/factsheets.htm](http://www.al.gov.bc.ca/poultry/factsheets.htm)



# BACKYARD CHICKEN FAQ

SPRING 2016

**BC Provincial Public Health Act** - Provides health officers the authority to order preventative measures to control a health hazard (e.g. Avian Flu outbreak)  
[www.health.gov.bc.ca/phact/](http://www.health.gov.bc.ca/phact/)

**BC Provincial Animal Disease Control Act** - Veterinarians and Physicians are obligated to report known or suspected animals or persons that are suffering from or have died from a communicable disease. [www.agf.gov.bc.ca/ministry/legsum/ADCO.stm](http://www.agf.gov.bc.ca/ministry/legsum/ADCO.stm)

**BC Integrated Pest Management Act** - This Act mainly regulates pesticide use, but also gives authority to the Minister to order an Integrated Pest Management Plan for managing pest populations (including rats and insects) and reduce damage caused by pests. [www.env.gov.bc.ca/epd/ipmp/publications/index.htm](http://www.env.gov.bc.ca/epd/ipmp/publications/index.htm)

**BC Environmental Management Act** - The Ministry of Environment regulates issues regarding organic matter (manure) and recycling for larger retail grade practices through this act.

## Resources for Backyard Chicken Owners

The City provides this resource list for convenience only. The City does not intend for this resource list to be exhaustive, and the City does not have any knowledge and makes no representations and give no warranties as to the suitability, quality or accuracy of any information, products or services in any way published or publicized directly or indirectly through the sites listed here.

### General Resources

Backyard Chickens [www.backyardchickens.com](http://www.backyardchickens.com)  
My Pet Chicken [www.mypetchicken.com/about-chickens](http://www.mypetchicken.com/about-chickens)  
Backyard Poultry Magazine [www.backyardpoultrymag.com](http://www.backyardpoultrymag.com)  
Chicken Keeping Secrets [www.chickenkeepingsecrets.com](http://www.chickenkeepingsecrets.com)  
Poultry One Backyard Chickens Site <http://poultryone.com/raisingchickens.php>  
Urban Chickens <http://urbanchickens.org>  
The City Chicken <http://home.centurytel.net/thecitychicken>  
The Poultry Site <http://www.thepoultrysite.com>  
The Chicken Whisperer <http://www.chickenwhisperer.net/index.html>

### Local Resources

Daily Eggs [www.dailyeggs.com](http://www.dailyeggs.com)  
Farm Folk/City Folk [www.ffcf.bc.ca](http://www.ffcf.bc.ca)  
City Farmer [www.cityfarmer.info](http://www.cityfarmer.info)  
Fraser Valley Poultry Fanciers Association [www.fvpfa.org](http://www.fvpfa.org)  
Fraser Valley Auction [www.fraservalleyauction.com](http://www.fraservalleyauction.com)



# BACKYARD CHICKEN FAQ

SPRING 2016

