

Attachments to October 11, 2016 Council Agenda
Submitted by Councillor Bossert

BACKYARD HENS: RESOURCES AND LINKS

Alberta residents who wish to raise backyard hens will contact their city to learn about local urban hen bylaws and to acquire a license. Urban chickens tend to be limited to eight or fewer hens per residence.

The information below is not meant to replace information from your municipality, nor is it exhaustive. Livestock owners have responsibilities under federal, provincial, and municipal laws whether they care for a single animal or many animals. Several non-profit organizations also have information on their websites.

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- **How to Prevent and Detect Disease in Backyard Flocks and Pet Birds.** *Canadian Food Inspection Agency.*
<http://www.inspection.gc.ca/animals/terrestrial-animals/diseases/bird-health-basics/eng/1323643634523/1323644740109>
- **BIOSECURITY BEST PRACTICES. Keeping Small Flocks Healthy.** *Alberta Veterinary Medical Association*
<http://dev.abvma.ca/documents/KeepingSmallFlocksHealthyBooklet/KeepingSmallFlocksHealthyBooklet.pdf>
- **Small Flock Poultry Health. Disease Prevention and Good Management.** *British Columbia Ministry of Agriculture*
http://www.agf.gov.bc.ca/ahc/poultry/small_flock_manual.pdf
- **Animal Health Act.** *Government of Alberta*
[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/acts12272](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/acts12272)
- **Animal Protection Act and Regulations.** *Government of Alberta*
[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/acts6029](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/acts6029)
- **Premises Identification (PID) Program.** *Alberta Agriculture and Rural Development*
www.agriculture.alberta.ca/premises
- **Flu Advice for Backyard Swine and Poultry Owners.** *Alberta Agriculture and Rural Development*
[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/afs12665](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/afs12665)
- **Farm Direct Marketing Eggs: What You Need to Know.** *Alberta Agriculture and Rural Development*
[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/agdex14045](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/agdex14045)
- **Becoming an Egg Farmer.** *Egg Farmers of Alberta*
<http://eggs.ab.ca/industry/becoming-an-egg-farmer>

MUNICIPAL BYLAWS ALLOWING 6 OR FEWER HENS PER RESIDENCE

Visit the municipality websites to access bylaws for hens or to speak with a bylaw representative.

- Town of Peace River Bylaw No. 1832
- Town of Rocky Mountain House Bylaw 14/07V
- Red Deer Bylaw 3517/2014

URBAN HEN PILOT PROJECT REQUEST

ISSUE

Council received a request to consider an Urban Hen Pilot Project and requested that Administration research the feasibility of a pilot project in Okotoks.

REPORT

Okotoks is situated in an area that historically has been dominated by rural agricultural activity. The family farm supported the local economy and was the primary industry in the region. As Okotoks grew, the Councils of the day recognized the reduced area upon which families were residing and began to regulate agricultural activities within the Town. This may have been due to nuisance or conflict between neighbours, but rules were put in place to clearly define allowable agricultural activities. In 1959, Bylaw A-269 was passed by Council which prohibited horses, pigs, sheep, cattle or goats on any parcel of land less than three acres. Bylaw A-336 replaced A-269 in 1962, and added the prohibition of chickens on any parcel of land not defined as an acreage. This was further refined in 1967 when Bylaw A-412 was passed prohibiting horses, cattle, sheep, pigs, goats, rabbits, poultry or domestic pigeons on any parcel of land that was not described as an acreage.

Over time the lots in the community grew smaller and in 2008 Council affirmed prohibitions for livestock within Town with the exception of urban holding areas designated for agricultural activities and regulated by the Land Use Bylaw. No other land designation allows for the keeping of livestock or poultry. Okotoks Municipal Enforcement has dealt with complaints regarding the keeping of chickens in Town and had the hens removed.

In canvassing several Alberta communities similar in size or larger than Okotoks, it was found the vast majority prohibit livestock or poultry within their corporate limits. It was hoped that there may be an opportunity to review a proposed program in Airdrie but the program has been placed on hold by the Planning Department. Of the communities who investigated the possibility of an urban chicken program, Red Deer and Wetaskiwin approached the matter very differently. Upon research, Council in Wetaskiwin did not allow urban chickens, and the City of Red Deer ran a pilot program which resulted in the passing of a stringent bylaw to control the activity. Red Deer currently allows a maximum of 65 licenses predicated on a ratio of 1 license per 1500 people. The cost to monitor this type of program is unknown, but Wetaskiwin suggests ongoing monitoring and regulating of issues related to such a program would require a .5 Full Time Equivalent based on their population base.

CITY/TOWN	2013 POPULATION	Hens Allowed	Notes
Airdrie	49,560	No	Planning Department has pilot on hold for now
Beaumont	14,916	No	may apply for a permit for exotic pets - done on a case by case basis
Black Diamond	2,373	Pilot	one year pilot until Jul 2015 - 20 residents/up to 4 hens
Brooks	13,676	No	rewrote Animal Control bylaw this past spring that prohibits chickens
Camrose	17,286	No	all livestock prohibited per land use
Canmore	12,317	No	there has been no talk and nothing has been brought to Council
Chestermere	15,762	No	
Cochrane	18,750	No	per land use (exception is in the Agricultural Zone)
Cold Lake	14,400	No	restricted per livestock bylaw
Fort Saskatchewan	21,795	No	no domestic animals (includes chickens) need development permit
High River	12,920	No	no talk surrounding this topic
Lacombe	11,707	No	restricted per Livestock Control Bylaw
Leduc	27,241	No	no livestock allowed per land use
Lloydminster	20,011	No	restricted per land use, new zoning bylaw will also not allow
Red Deer	97,109	Yes	passed "Chicken Bylaw" in July 2014
Spruce Grove	27,875	No	Dog and Domestic Animal Bylaw
Stony Plain	15,051	No	was some talk/Council has not passed anything/topic has quieted down
Strathmore	12,352	No	has been some talk of back yard hens but nothing passed
Sylvan Lake	13,015	No	restricted; exception is in the Agriculture Zone with 3 or more acres of land
Turner Valley	2,167	Pilot	one year pilot until July 2015 - 20 residents/up to 4 hens
Westaskiwin	12,525	No	the community tried to implement but Council turned down the possibility
Whitecourt	10,574	No	

British Columbia (BC) has been dealing with the challenges of urban hens longer than Alberta and has identified issues surrounding this activity. The BC Society for the Prevention of Cruelty to Animals (SPCA) supports urban consumers wishing to seek alternatives to conventional eggs; however, they do so by encouraging consumers to purchase from SPCA certified farms. Surrey, BC has implemented an interesting option which restricted backyard hens to properties with a significant square footage (1/4 acre or approximately 10,000 sq. ft., and with special approval, a minimum lot size of 7,200 sq. ft.).

In reviewing many information packages, there are several common concerns that are identified. Diminishing production, predation, cost of production, chickens that are relinquished or abandoned, perception of loss of land value, public health, rodents and scavengers, risk of fire and unsightly issues just to name a few. Since a chicken can only produce eggs from approximately the age of six months until about three years of age, and chickens can live up to ten years, there is only a productive cycle of fifteen percent of the chicken's life expectancy.

In Montreal, the Humane Society International Canada advises that hens and roosters are appearing in animal shelters on almost a weekly basis and report harsh winters make it difficult for residents to keep backyard chickens.

In reviewing provincial legislation surrounding poultry, any residence that has one or more hens must obtain a Premises Identification Account and a Premises Identification Number. This is required so owners can obtain medicine, but more importantly, so the government knows the location of all animals that may pose a disease risk or be at risk of disease (Animal Health Act Premises Identification Regulation).

A cursory review of Okotoks bylaws indicates that revisions to the Responsible Pet Ownership Bylaw and the Land Use Bylaw would be required. Consideration may have to be given to some type of change to the Community Standards Bylaw regarding noise as Council direction in the preamble directs that noise should be reduced as much as compatible with normal activities in an urban environment.

Alberta Health Services was contacted and did not take a stance either for or against the program. They supplied ample information but clearly stated the Town would assume primary responsibilities for regulation, monitoring and enforcement of issues surrounding the activity. Alberta Health Services will not supply any assistance in complaints of odour or noise.

Requests have been made to Dr. Bourque at Sheep River Veterinary Services to update his letter of April 2010, but an update has not been received; therefore the information as supplied remains the same.

RECOMMENDATION

That a non-statutory public hearing be held to further understand the impact to and concerns of the public prior to investing in an extensive review of the various bylaws that such a program would affect and the changes that would be required to allow the program to move forward inclusive of the costs associated to monitoring and regulating the program.

ALTERNATE RECOMMENDATION

That the Town of Okotoks not proceed with an Urban Hen Pilot Project at this time.

Attachments:

1. Urban Hen Pilot Project Presentation - October 14, 2014
2. Feedback and Background Information

Prepared by:
Tim Stobbs, Municipal Enforcement Manager
November 13, 2014

Lacombe

Date of Pilot Project: 2016 (just beginning)

Length of Pilot Project: one year

Number of Participants: 10

Number of hens allowed: 4

Positives: unknown as yet

Negatives: unknown as yet

Parameters and Conditions:

1. The maximum number of properties where chickens are allowed is 10. The City will conduct a one year pilot project. Administration will report back to Council after this initial year.
2. The size of the hen flock is limited to 4. This flock must be registered with the Province and meet all Federal and Provincial legislation requirements.
3. Hens must be contained within a chicken coop and enclosed outer area. The total size of the coop and outside area is 10 m² and the coop must not exceed 2.4 m in height. The size of the hen areas are below the threshold in the Land Use Bylaw before requiring a development permit.
4. Chicken Coops must be located at least 0.9 metres from property lines and must be located in the rear yard.
5. Licenses will be restricted to properties containing single detached and semi-detached dwellings.
6. Neighbours having contiguous boundaries to the applicant's property must be consulted prior to issuance of a license.
7. Hens must be at least 16 week of age and no roosters will be allowed.
8. Owners must ensure the coop and enclosed area is cleaned and manure is properly composed or disposed.
9. Dead hens must also be properly disposed of by sending to an abattoir, farm or designated veterinarian.

Municipal Enforcement issues and costs: Unknown as yet, but anticipated to include: nuisances such as noise, unsightly premises, smells/odours, and pests associated with the keeping of hens in an urban environment. Considerations include:

- Service level impact for enforcing and regulating the Urban Hen Bylaw
- Initial advertising and legal costs for establishing the bylaw and communicating it to the public
- License fees (determined at \$28 each) would not be a significant source of revenue to offset costs.

Edmonton Phase I

Date of Pilot Project: 2014

Length of Pilot Project: 1 year

Number of Participants: 18

Number of hens allowed: 3-8

Positives

Negatives

Parameters and Conditions:

A. Site Requirements for Hen Coop

- i. Coops may only be located in backyards of properties that are completely fenced and secured. During the application process, some properties, due to the smaller size of a backyard or other situational factors, may be deemed unsuitable for urban hen keeping and may not be licensed.
- ii. Coop sites should take into consideration backyard locations that would minimize impact to adjacent neighbours (away from bedroom windows, furthest point from building, etc.).
- iii. Each approved site can house only one coop and it must be in compliance with *Zoning Bylaw 12800*, Section 12.2 for Accessory buildings. Coops that are designed in accordance with Section 12.2 will not require a development permit. Consultation with a Development Officer/Planner is recommended before purchasing or installing an accessory structure.

B. Number of Hens and Coop size

- i. The breed and number of hens will be recorded during the application process; as well, sites shall not exceed eight hens per site (less than three hens is not recommended). **Roosters are not permitted.**
- ii. For each hen, a minimum coop space of 0.37 square meters is required, as well as a minimum of 0.93 square meters of secured, covered space.
- iii. All coops must contain sufficient perch locations, have adequate ventilation, as well as be weather and predator proof.
- iv. All hens on site shall be banded and documented with the City for identification purposes.
- v. All hens must remain in the coop or an enclosed run at all times unless directly supervised, in which case they must remain on the licensed property.

C. Nuisance Conditions

- i. The site and coop must be properly maintained to prevent attracting nuisance animals, the spread of food over the property, and excessive smells or noise.

D. Standard of Care

- i. Hen sites shall adhere to good management and husbandry practices; maintain hens in such a condition so as to prevent distress, disease, and welfare issues. Hens require appropriate food, water (unfrozen), shelter, light, warmth, ventilation,

veterinary care and opportunities for essential behaviours such as scratching, pecking, dust-bathing and roosting in order to be comfortable and healthy.

- ii. Animal Control must be notified immediately of any disease or welfare issues arising that may affect the public, and the steps that have been taken to resolve them.

E. Waste & Disposal

- i. Manure must be removed, discarded, and/or properly composted to prevent nuisance odours.
- ii. Hens may not be slaughtered within the City. Removal methods include (but are not limited to) humane euthanasia by a veterinarian, relocating to a farm, or taking hens to a licensed abattoir. Deceased birds should be double-bagged and placed for garbage collection or taken to a veterinarian for disposal. As a licence requirement, all changes to flock size must be reported to Animal Control.

F. Training/Mentor

- i. Each site owner must complete an accepted urban hen keeping course. It is also recommended that each site obtain support and assistance from a recognized mentor for the first year. This condition must be met, or reasonable steps toward meeting the requirement must be made prior to a permanent licence being issued.

G. Inspections

- i. Upon reasonable request from Animal Control Peace Officers, Hen site owners shall make themselves available and provide access to the coops for inspection.
- ii. An initial inspection of the coop, hens, and site, will be conducted prior to final site approval and a licence being granted by the City of Edmonton.

H. Registration

- i. Site owners must comply with all Provincial regulations around the keeping of hens. The Province of Alberta requires all owners of poultry (including small urban flocks) to register their flocks into the provincial database and obtain a Premise Identification (PID) Number. In case of potential disease outbreak, the PID enables the province to keep track of livestock site locations. The Province will maintain communication with site owners should any information or incidents occur that would require site owners to take action.
- ii. Flock owners shall provide proof of completion of a training course recognized by Animal Control as comprehensive and specific to the Alberta climate.

Municipal Enforcement issues and costs:

- Animal Control responded to twelve citizen complaints at six of the pilot sites. All complaints were investigated promptly by Animal Control Peace Officers who worked to resolve complaints amicably between neighbours.
- Five complaints focused on the sites attracting nuisance birds feeding on food sources and waste in the yard, four on hens being at large or off premises, two for excessive smell, and one for noise. Three of the sites received multiple complaints against them which may have resulted from lower experience levels with those particular hen keepers. No complaints were received relating to coyotes or other predatory wildlife sightings. No correlation was found between the size of the property or the proximity to neighbouring properties as the cause of any of these complaints.
- One-third of pilot sites were subject to citizen complaints, with three sites receiving multiple complaints over the course of the pilot. An Urban Hen Keeping Program with high participation levels of inexperienced hen keepers may generate unanticipated complaint volumes and unmanageable service requests. Additionally, increases in nuisance birds and mice, observed by pilot participants and neighbours, can be monitored further through phasing in a program.

Red Deer

Date of Pilot Project: On July 7, 2014, Red Deer City Council approved a Chicken Bylaw to regulate and control the keeping of chickens on a property within an urban area. This Bylaw requires residents to apply for and maintain a Chicken License on an annual basis.

Length of Pilot Project:

Number of Participants: 65

Number of hens allowed: 4

Positives

Negatives

Parameters and Conditions:

The Chicken Bylaw includes such things as:

- No person shall keep a rooster.
- A Chicken License authorizes the keeping of urban chickens on a specific property.
- A Chicken License allows for a maximum of 4 chickens.
- An application must be submitted and approved.
- A small fee will be charged along with the application and must be renewed on an annual basis (January 1 through December 31).
- A maximum number of licenses will be issued each year, based on population growth. The initial number available will be 65.

Rules and Regulations

As a part of the Chicken Bylaw, a person that keeps urban chickens must:

- Provide and maintain coop standards in size, floor space, sanitation and safe construction from predators as outlined in the Bylaw.
- Hens must be provided with both interior floor area and outdoor enclosure, including the provision for bare earth or vegetated floor, within a coop.
- Keep hens inside the coop at all times.
- Provide hens with essential care to maintain good health.
- Follow procedures recommended by the Canadian Food Inspection Agency to reduce potential disease outbreak.
- Keep hens for personal use only.
- Cannot sell eggs, manure, meat or other hen related products or slaughter hens on the property.

A coop doesn't require either Building or Development Permits, however it does have to be set back 0.9 meters from any property line and cannot exceed 10m² or 2.4 meters in height as per the Land Use Bylaw.

Enforcement and Penalties

A resident who contravenes the Bylaw is subject to a minimum \$100 penalty.

Upon receiving a complaint, an inspection will be carried out and residents will be required to comply with the Bylaw.

Residents must also comply with any Federal and Provincial law or regulations around the keeping of hens. The Province of Alberta requires all owners of poultry (including small urban flocks) to register their flocks into a provincial database and obtain a [Premises Identification \(PID\)](#) number. This will enable the province to keep track of livestock in case of potential disease outbreak.

Municipal Enforcement issues and costs: unknown at present.

BYLAW NO. 3517/2014

BEING A BYLAW OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, TO REGULATE THE KEEPING OF CHICKENS IN URBAN AREAS

WHEREAS pursuant to section 7 of the *Municipal Government Act* the council of a municipality may pass bylaws for municipal purposes respecting: the safety, health and welfare of people and the protection of people and property; wild and domestic animals, and activities in relation to them; and the enforcement of bylaws; and

WHEREAS pursuant to section 8 of the *Municipal Government Act* the council of a municipality may, in a bylaw, regulate or prohibit and to provide for a system of licences, permits and approvals.

NOW THEREFORE, COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

1. This bylaw may be called the “Chicken Bylaw”.
2. For the purposes of this bylaw:
 - (a) “**Chicken License**” means a license issued by the City Manager pursuant to this Bylaw authorizing the license holder to keep Urban Chickens on a specific property within an Urban Area;
 - (b) “**Coop**” means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Urban Chickens, that is no larger than 10 m² in floor area, and no more than 2.4m in height;
 - (c) “**Hen**” means a domesticated female chicken;
 - (d) “**Municipal Tag**” means a document alleging an offence issued pursuant to the authority of a Bylaw of the City;
 - (e) “**Outdoor Enclosure**” means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for Urban Chickens to roam;
 - (f) “**Peace Officer**” has the same meaning as in the *Provincial Offences Procedure Act*;
 - (g) “**Rooster**” means a domesticated male chicken;

- (h) **“Urban Chicken”** means a Hen that is at least 16 weeks of age;
- (i) **“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*;
- (j) **“Urban Area”** means lands located within the City on which agricultural operations, including but not limited to the keeping of livestock are neither a permitted or discretionary use under the City’s Land Use Bylaw.

Purpose

- 3. The purpose of this bylaw is to regulate and control the keeping of chickens within Urban Areas.

Prohibitions

- 4. In an Urban Area, no person shall:
 - (a) keep a Rooster;
 - (b) keep a Hen, other than an Urban Chicken for which a valid Chicken License has been issued.

Chicken License

- 5. A person may apply to keep no more than (4) Urban Chickens by:
 - (a) submitting a completed application, on the form approved by the City Manager, and
 - (b) paying a licence fee of \$28.00.
- 6. The City Manager may not issue or renew a Chicken License unless satisfied that:
 - (a) the applicant is the owner of the property on which the Urban Chickens will be kept, or that the owner of the property has provided written consent to the application;
 - (b) the land use districting of the property on which the Urban Chickens will be kept allows the placement of a Coop for the keeping of Urban Chickens;

- (c) the applicant resides on the property on which the Urban Chickens will be kept;
 - (d) the applicable fee has been paid; and
 - (e) all required information has been provided.
7. The maximum number of Chicken Licenses that may be issued for the year in which this Bylaw comes into force shall be sixty five (65). Each subsequent year, the maximum number of Chicken Licenses that may be issued shall be one Chicken License per one thousand five hundred (1500) persons based on the population of the City of Red Deer as determined in the most recent census.
8. The City Manager may refuse to grant or renew a Chicken License for the following reasons:
- (a) the applicant or license holder does not or no longer meets the requirements of this bylaw for a Chicken License;
 - (b) the applicant or license holder:
 - i. furnishes false information or misrepresents any fact or circumstance to the City Manager or a Peace Officer;
 - ii. has, in the opinion of the City Manager based on reasonable grounds, contravened this bylaw whether or not the contravention has been prosecuted;
 - iii. fails to pay a fine imposed by a court for a contravention of this Bylaw or any other applicable Bylaw related to the keeping of Urban Chickens;
 - iv. fails to pay any fee required by this or any applicable Bylaw; or
 - (c) in the opinion of the City Manager based on reasonable grounds it is in the public interest to do so.
9. If the City Manager refuses to grant or renew a Chicken License, the applicant may appeal the decision to the Red Deer Appeal & Review Board, in accordance with the procedures set out in the City of Red Deer Appeal Boards Bylaw.

10. A Chicken License is valid only for the period January 1 to December 31 in the year for which it is issued.
11. A Chicken License is not transferable from one person to another or from one property to another.
12. A person to whom a Chicken License has been issued shall produce the license at the demand of the City Manager or a Peace Officer.

Keeping of Urban Chickens

13. A person who keeps Urban Chickens must:
 - (a) provide each Hen with at least 0.37 m² of interior floor area, and at least 0.92 m² of Outdoor Enclosure, within the Coop;
 - (b) provide and maintain, in the Coop, at least one nest box per coop and one perch per Hen, that is at least 15 cm long;
 - (c) keep each Hen in the Coop at all times;
 - (d) provide each Hen with food, water, shelter, light, ventilation, care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the Hen in good health;
 - (e) maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
 - (f) construct and maintain the Coop to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
 - (g) keep a food container and water container in the Coop;
 - (h) keep the Coop secured from sunset to sunrise;
 - (i) remove leftover feed, trash, and manure in a timely manner;
 - (j) store feed within a fully enclosed container;

- (k) and manure within a fully enclosed container, and store no more than 3 cubic feet of manure at a time;
- (l) remove all other manure not used for composting or fertilizing and dispose of same in accordance with City bylaws;
- (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
- (n) keep Hens for personal use only.

14. No person who keeps Urban Chickens shall:

- (a) sell eggs, manure, meat, or other products derived from Hens;
- (b) slaughter a Hen on the property;
- (c) dispose of a Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Hens; and
- (d) keep a Hen in a cage, kennel, or any shelter other than a Coop.

Offence and Penalties

15. A person who contravenes any provision of this Bylaw is guilty of an offence.

16. A person who is guilty of an offence is liable to a fine in an amount not less than \$100.00.

17. Without restricting the generality of section 16, the fine amount established for use on Municipal Tags and for Violation Tickets if a voluntary payment option is offered is \$150.00.

Municipal Tag

18. A Peace Officer is authorized and empowered to issue a Municipal Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

19. A Municipal Tag may be issued to such person:

- (a) either personally; or

(b) by mailing a copy to such person at his or her last known post office address.

20. The Municipal Tag shall be in a form approved by the City Manager and shall state:

(a) the name of the Person;

(b) the offence;

(c) the specified penalty established by this Bylaw for the offence;

(d) that the penalty shall be paid within 14 days of the issuance of the Municipal Tag; and

(e) any other information as may be required by the City Manager.

Payment in Lieu of Prosecution

21. Where a Municipal Tag is issued pursuant to this Bylaw, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the City the penalty specified within the time period indicated on the Municipal Tag.

Violation Ticket

22. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

23. Despite section 22, a Peace Officer is authorized and empowered to issue a Violation Ticket to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

24. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

(a) specify the fine amount established by this Bylaw for the offence; or

(b) require a person to appear in court without the alternative of making a voluntary payment.

Voluntary Payment

25. A person who commits an offence may

- (c) if a Violation Ticket is issued in respect of the offence; and
- (d) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

Obstruction

26. No Person shall obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this Bylaw.

Powers of City Manager

27. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may:

- (a) carry out any inspections to determine compliance with this Bylaw;
- (b) take any steps or carry out any actions required to enforce this Bylaw;
- (c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- (d) establish forms for the purposes of this Bylaw; and
- (e) delegate any powers, duties or functions under this Bylaw to a City employee.

General

28. 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 licence.

Severability

29. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

Enactment

30. This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

READ A FIRST TIME IN OPEN COUNCIL this 23 day of June 2014.

READ A SECOND TIME IN OPEN COUNCIL this 7 day of July 2014.

READ A THIRD TIME IN OPEN COUNCIL this 7 day of July 2014.

AND SIGNED BY THE MAYOR AND CITY CLERK this 7 day of July 2014.

“Tara Veer”

MAYOR

“Frieda McDougall”

CITY CLERK

High River

Date of Pilot Project: 2016

Length of Pilot Project:

Number of Participants: Unspecified

Number of hens allowed: 3

Positives

Negatives

Parameters and Conditions:

Any person who keeps urban chickens must:

- Review the Town's Urban Chicken Coop Guidelines
- Residents must also comply with any Federal and Provincial law or regulations around the keeping of hens. The Province of Alberta requires all owners of poultry (including small urban flocks) to register their flocks into a provincial database and obtain a Premises Identification (PID) number. This will enable the province to keep track of livestock in case of potential disease outbreak.
- Liability insurance must be obtained by the applicant
- Applicants must notify their adjacent neighbours that they intend to apply for an urban chicken license
- Applicants must complete a chicken education course from an accepted organization or association
- Once the above steps are complete, applicants can submit an application along with a Fee of \$75. Once approved, it must be renewed on an annual basis. Be prepared to provide information about your site, your training, registration and PID.

Additional requirements:

- Chicken coops are only deemed appropriate residential or multi-family residential areas with private, enclosed backyards
- Coops should be 1.5 m from any property line
- Manure and waste shall be composted or disposed of regularly so as to prevent odors
- Maintain coop standards in size, floor space, sanitation and safe construction from predators as outlined in the Bylaw.
- Hens must be provided with both interior floor area and outdoor enclosure, including the provision for bare earth or vegetated floor, within a coop. Roosters are not permitted.
- Keep hens inside the coop at all times
- Provide hens with essential care to maintain good health
- Follow procedures recommended by the Canadian Food Inspection Agency to reduce potential disease outbreak
- Keep hens for personal use only
- Do not sell eggs, manure, meat or other hen related products or slaughter hens on the property

Municipal Enforcement issues and costs: unknown at present.

Claresholm

Excerpt from Bylaw 1208:

14. (a) For the purposes of this section, the words "poultry" and "fowls" means live domestic fowls including ducks, turkeys, geese, hens and pigeons, but not including baby chickens kept in pet shops or hatcheries.

(b) No person shall keep any poultry in any shed, stable, coop, pen, yard or other enclosure situated at a less distance than 20 feet from any occupied building on the same lot, thirty (30) feet from any occupied building on an adjacent lot, or twenty five feet from any street, except in the case of lots having a frontage on two streets, the minimum distance shall be twenty five feet from the street on which the occupied building on the lot fronts, and ten feet from any street at the side or rear of the lot. For the purpose of this section a lane shall not be considered a street. The keeping or roosters is prohibited.

(c) All buildings, structures or enclosures in which poultry are kept shall be so constructed as to be dry, airy, and light. No such building shall be banked with manure. Pens shall not be overcrowded and at least five square feet of yard space shall be provided for every bird (except chickens less than one month old.)

(d) All pigeons shall be confined in proper coops or wired enclosures and not allowed at large, except homers, tiplers and tumblers.

(e) The Health Officer may order the relocation, alteration or removal of any existing sheds, coops, runways or enclosures in which poultry are kept which do not comply with the provisions of this section. As to existing buildings, this provision shall come into effect on July 1, 1969.

(f) Every building or structure in which livestock and poultry is kept shall be lime-washed or otherwise treated as approved by the Health Officer at least once a year, and at such other times as may be directed by the Health Officer.

15. Any person guilty of a breach of this bylaw shall be liable to a penalty of not less than \$500.00 or more than \$2,500.00, and in default of payment, to imprisonment for a period not less than 20 days and not more than 180 days.

St. Albert

Date of Pilot Project: October 2016

Length of Pilot Project: two years

Number of Participants: not more than 20

Number of hens allowed: 3-4

Positives

Negatives

Parameters and Conditions:

1. No more than 3-4 hens per residential property;
2. All hens must be 4 months or older;
3. The keeping of roosters is prohibited;
4. Hens must be in their coops from 9pm-6am;
5. Hens must be in an enclosed hen run when not in their coop;
6. Hen coops must be maintained in a clean condition, free of obnoxious odors, substances, etc., and conform to the Community Standards Bylaw;
7. Home slaughter of hens is prohibited;
8. Keeping of hens will be for non-commercial purposes; and
9. A limit of 20 participants for the duration of the pilot.

Municipal Enforcement issues and costs: \$15,000 +, as below:

Anticipated Expense	Cost
Staff will track hours 2016 & 2017	unknown
Courses (such as hen keeping, coop building, composting) 2017	\$5,000
Public open houses 2017	\$6,000
Print material 2017	\$2,000
Newspaper ads 2017	\$2,000
Total	\$15,000