

TOWN OF HIGH RIVER
IN THE PROVINCE OF ALBERTA
BYLAW 4470/2016

BEING A BYLAW OF THE TOWN OF HIGH RIVER, IN THE PROVINCE OF ALBERTA, TO REGULATE THE KEEPING OF CHICKENS IN URBAN AREAS AND MAY BE CITED AS THE "URBAN CHICKEN BYLAW".

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 TOWN OF HIGH RIVER, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

1. PURPOSE

The purpose of this Bylaw is to regulate and provide guidelines for residents to keep chickens within the corporate boundaries of the Town of High River and to remain in compliance with both the parameters of this Bylaw and any associated provincial or federal enactments that may apply.

2. DEFINITIONS

- a) **Act** means the *Municipal Government Act* as amended from time to time;
- b) **Animal Health Act** means Statute of Alberta, 2007, Chapter A-40.2;
- c) **Bylaw** means a bylaw of the Town of High River;
- d) **Bylaw Enforcement Officer** means an employee of the Town appointed by the Chief Administrative Officer and, in the execution of his or her duties, is a person employed for the preservation and maintenance of the public peace;
- e) **CAO** means the person appointed to the position of Chief Administrative Officer by Council pursuant to the Act;
- f) **Coop** means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Urban Chickens;
- g) **Council** means the Mayor and the other members of the Council of the Town of High River as duly elected from time to time pursuant to the provisions contained in the *Local Authorities Election Act*;
- h) **Hen** means a domesticated female chicken;
- i) **Land Use Bylaw** means the most recent, approved bylaw that governs land use within the Town of High River;
- j) **Licence** means an Urban Chicken Licence issued pursuant to this Bylaw authorizing the Licence holder to keep Urban Chickens on a specific property within an Urban Area;
- k) **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;
- l) **Planning & Development Services** means a division of the Town of High River;
- m) **Rooster** means a domesticated male chicken;
- n) **Town** means the Town of High River;
- o) **Urban Chicken** means a Hen that is at least 16 weeks of age and is kept for non-commercial purposes;

3. RESPONSIBILITIES OF THE URBAN CHICKEN OWNER

- a) Urban Chicken owners must comply with the *Alberta Animal Health Act* and any other applicable standards adopted by the Province of Alberta.
- b) Urban Chicken owners on whose property hens are kept have a duty to take reasonable measures to ensure that:

- i. The Coop and Hens kept in the Coop do not pose a safety risk to persons on adjacent public or private property;
 - ii. The potential for damage to building and/or property located on adjacent public or private property as a result of the keeping of Urban Chickens is minimized;
 - iii. Are required to follow procedures outlined by the Canadian Food Inspection Agency to reduce potential disease outbreak.
- c) Urban Chicken owners must apply annually for a Town of High River Licence as per the process outlined in the Urban Chicken Licence Application.

4. GENERAL REGULATIONS

- a) This Bylaw only applies to Coops located within the Town and those Coops are in compliance with the Town of High River Land Use Bylaw.
- b) The keeping of Urban Chickens for the purposes of this Bylaw are for personal use only.
- c) No more than three (3) Hens can be kept on a single property.
- d) Any person wanting to keep Urban Chickens must obtain a Premises Identification (PID) under the Premises Identification Regulation (200/2008) in the *Alberta Animal Health Act*.
- e) Liability insurance must be obtained by the applicant and produced on demand by a Bylaw Enforcement Officer.
- f) Nothing in this Bylaw relieves a person from complying with any Federal or Provincial law or regulation, other Town Bylaw, or any requirement of any lawful permit, order or licence.

5. CHICKEN LICENCE REQUIREMENTS

- a) Any person wanting to keep Urban Chickens in the Town boundaries must have an approved Licence which is required to be renewed annually.
- b) The fee for a Licence must be paid prior to approval and the applicable fee is determined annually in the Town Rate Bylaw.
- c) Each Urban Chicken keeper must take urban chicken training or equivalent, which is designed to provide adequate information regarding the successful keeping of chickens in an urban area in order to be approved for a Licence.
- d) An approved Licence can be suspended or revoked, without refund or compensation, at any time if it can be determined by the Bylaw Enforcement Officer that there is non-compliance with this Bylaw or the Licence Application.
 - i. An Urban Chicken keeper with a revoked Licence can reapply for a new Licence but must show compliance with all requirements and pay all applicable fees unless the fee(s) are waived by the CAO.
- e) If the Development Officer refuses to grant or renew a Licence, the applicant may appeal the decision to the CAO.
- f) A Licence is non-transferable from one person to another or from one property to another.
- g) A Licence can be applied for at any time of the year.

6. COOP REQUIREMENTS

- a) Only Hens will be allowed to be kept.
- b) Roosters are not allowed to be kept.
- c) Each Hen must be provided 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) No Hen shall be slaughtered on the property.
- f) Hens will be disposed of by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Hens.
- g) Coops are restricted to rear yards with reasonable protection from access to other animals or children and each Coop must 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.
- h) 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.
- i) Keep each Hen in the Coop at all times.
- j) Maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances.
- k) 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.

7. ENFORCEMENT

- a) This Bylaw shall be enforced by any Bylaw Enforcement Officer.
- b) Approved Licence holders shall make themselves and their Coops available for inspection on reasonable request by the Bylaw Enforcement Officer.
- c) The Town can require a chicken owner to take any necessary disease and/or environmental mitigation measures if required.

8. SEVERABILITY

- a) 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.

9. ENACTMENT

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

READ A FIRST TIME THIS 25th DAY OF April A.D. 2016.



MAYOR/DEPUTY MAYOR


CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS 24th DAY OF May A.D. 2016.

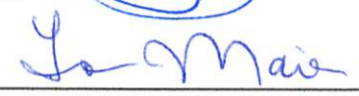


MAYOR/DEPUTY MAYOR


CHIEF ADMINISTRATIVE OFFICER

READ A THIRD AND FINAL TIME THIS 24th DAY OF May A.D. 2016.



MAYOR/DEPUTY MAYOR


CHIEF ADMINISTRATIVE OFFICER