

TOWN OF HIGH RIVER
IN THE PROVINCE OF ALBERTA
BYLAW 4471/2016

BEING A BYLAW OF THE COUNCIL OF THE TOWN OF HIGH RIVER, IN THE PROVINCE OF ALBERTA, TO REGULATE THE KEEPING OF BEES IN URBAN AREAS AND MAY BE CITED AS THE "URBAN BEE 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 and establishing appropriate fees associated.

**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 bees 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) **Apiculture** means the keeping and management of bees;
- d) **Bees** means the insect *Apis mellifera* L;
- e) **Bee Act** means RSA 2000, Chapter B-2 (2010);
- f) **Beekeeper** means a person who owns and possesses bees or beekeeping equipment or both;
- g) **Bylaw** means a bylaw of the Town of High River;
- h) **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;
- i) **CAO** means the person appointed to the position of Chief Administrative Officer by Council pursuant to the Act;
- j) **Colony** means queen, brood and accompanying bees;
- k) **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*;
- l) **Land Use Bylaw** means the most recent, approved bylaw that governs land use within the Town of High River;
- m) **Licence** means an Urban Bee Licence issued pursuant to this Bylaw authorizing the Licence holder to keep Urban Bees on a specific property within an Urban Area;
- n) **Planning & Development Services** means a division of the Town of High River;
- o) **Town** means the Town of High River;
- p) **Urban Bees** means bees kept for non-commercial purposes;

3. RESPONSIBILITIES OF THE URBAN BEEKEEPER

- a) Beekeepers must comply with the *Alberta Bee Act*, *Alberta Animal Health Act* and any other applicable standards adopted by the Province of Alberta.
- b) Beekeepers or persons on whose property bees are kept have the duty to take reasonable measures to ensure that:
 - i. The apicultural operation does not pose a safety risk to persons on adjacent public or private property;
 - ii. The potential for damage to buildings and/or property located on adjacent public or private property as a result of the apicultural operation is minimized;
 - iii. Any person who keeps bees has the duty to ensure the maintenance of the bees in such a condition as will reasonably prevent aggressive behaviour or swarming by the bees.
- c) Beekeepers must apply annually for a Town of High River Licence as per the process outlined in the Urban Bee Licence Application.

4. GENERAL REGULATIONS

- a) This Bylaw only applies to apicultural operations located within the Town in which Apiculture is a listed discretionary use in the Town of High River Land Use Bylaw.
- b) Beekeeping for the purposes of this Bylaw are for personal use only.
- c) The maximum number of Hives per Licence is two (2).
- d) Any person wanting to keep an apicultural operation must annually register with Alberta Agriculture, through the Provincial Apiculturist for Alberta. Unregistered owners are subject to fines or imprisonment under the *Bee Act*.
- e) Any person wanting to keep an apicultural operation must obtain a Premises Identification (PID) under the Premises Identification Regulation (200/2008) in the *Alberta Animal Health Act*.
- f) Liability insurance must be obtained by the applicant and produced on demand by a Bylaw Enforcement Officer.
- g) 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. BEE LICENCE REQUIREMENTS

- a) Any person wanting to keep bees within 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 beekeeper must complete a beekeeping course from an accepted organization or association 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 Bee Licence Application;
 - i. A beekeeper 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. HIVE REQUIREMENT

- a) Only *Apis mellifera* L, also known as honeybees, are allowed to be kept.
- b) There can be no more than two (2) hives per property.
- c) Hives are restricted to rear yards with reasonable protection from access by animals and children.
- d) Hives are to be located a minimum of 2.4 metres above ground or within yards enclosed by a 1.8 metre high hedge or solid fence.
- e) Hive entrances are to be directed away from neighbouring properties.
- f) All immediately adjacent neighbours must be notified by the applicant that bee hive(s) will be present.

7. ENFORCEMENT

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

8. SEVERABILITY

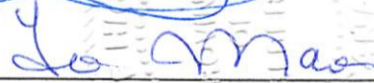
- a) Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

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

