

URBAN HEN BYLAW

A Bylaw of the Town of Eckville in the Province of Alberta to Regulate the Keeping of Urban Hens in Urban Areas Within the Town of Eckville.

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**WHEREAS**, pursuant to the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 and amendments thereto (the "Act"), a council of a municipality has the authority to regulate or prohibit certain activities 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 WHEREAS**, pursuant to the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 and amendments thereto (the "Act") a council of municipality may in a bylaw, regulate, or prohibit and to provide for a system of licenses, permits and approvals;

**AND WHEREAS** Council deems it necessary to assess the viability of keeping Urban Hens within the Town;

**NOW THEREFORE** the Council of the Town of Eckville, in the Province of Alberta, enacts as follows:

**1.0 TITLE**

1.1 This bylaw may be called the "**Urban Hen Bylaw**"

**2.0 DEFINITIONS**

2.1 For the purpose of this bylaw:

- a) **Abattoir:** means a facility where animals are slaughtered for consumption as food for humans.
- b) **Coop:** means a fully enclosed, weather-proof structure, and attached outdoor enclosure used for the keeping of Urban Hens.
- c) **Chief Administrative Officer:** means a person appointed as the Chief Administrative Officer of the Town of Eckville or designate.



INITIAL

- d) **Council:** means the Council of the Town of Eckville.
- e) **Communicable Disease:** means any disease or illness that may be transferred from an Animal to another Animal, or a human through direct or indirect contact.
- f) **Hen:** means a domesticated female chicken.
- g) **Hen House:** means an enclosed structure that houses Urban Hens at night and includes a secure place for Urban Hens to lay eggs and eat.
- h) **Licensee:** means a Person named on an Urban Hen License.
- i) **Municipal Enforcement Officer/Community Peace Officer/Animal Control Officer:** means a Person as appointed by the Town of Eckville by resolution of Council.
- j) **Municipal Tag:** means a document alleging an offence issued pursuant to the authority of a Bylaw of the Town.
- k) **Outdoor Enclosure (urban hen run):** means a securely enclosed, roofed outdoor area attached to, and forming, part of a Coop having a bare earth or vegetated floor for Urban Hens to roam.
- l) **Owner:** includes any one or more Persons who:
  - i. Is named on an Urban Hen License; or
  - ii. A person who owns or claims any proprietary interest in an Urban Hen; or
  - iii. Has the care, charge, custody, possession, or control of the Urban Hen, either temporarily or permanently; or
  - iv. Harbors an Urban Hen, or allows an Urban Hen to remain, on his/her property
- m) **Owner's Property:** means any premises which are owned or leased by the Owner.
- n) **Premises:** means any dwelling, building, and any parcel or lot of real property or a portion thereof.
- o) **Rooster:** means a domesticated male chicken.
- p) **Running at Large:** means an Urban Hen being outside of a coop or run.
- q) **Town:** means the municipal corporation of the Town of Eckville, or the area contained within the boundary thereof, as the context requires, means the area of land within the corporate boundaries.
- r) **Town Office:** means the Chief Administrative Officer or any other staff member

authorized to carry out their duties.

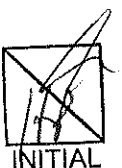
- s) **Urban Hen:** means a hen that is at least 16 weeks of age.
- t) **Urban Hen License:** means a license issued by the Town of Eckville pursuant to the Urban Hen Bylaw, which authorizes the License holder to keep Urban Hens on specific property within the Town of Eckville.
- u) **Violation Ticket:** has the same meaning as the *Provincial Offences Procedure Act*.
- v) **Urban Area:** means land located within the Town of Eckville legal boundaries.

### 3.0 PURPOSE

- 3.1 The purpose of this bylaw is to regulate and control the keeping of Urban Hens within the urban areas of the Town of Eckville.

### 4.0 REGULATIONS

- 4.1 A person may apply to keep no more than five (5) Urban Hens on a single property.
- 4.2 The owner must be 18 years of age or older.
- 4.3 Urban Hens kept on the property are for personal use only.
- 4.4 No person shall be permitted to:
  - a. keep a rooster;
  - b. keep a hen, other than an Urban Hen for which a valid Urban Hen License has been issued by the Town of Eckville;
  - c. sell eggs, meat, manure, and other products associated with the keeping of Urban Hens;
  - d. slaughter Urban Hens on the property;
- 4.5 Any deceased Urban Hens shall be disposed of by delivering it to an Abattoir, veterinarian, or other operation that is lawfully permitted to dispose of such.
- 4.6 A tenant must obtain written permission from the registered property Owner to keep Urban Hens on the owner's property.



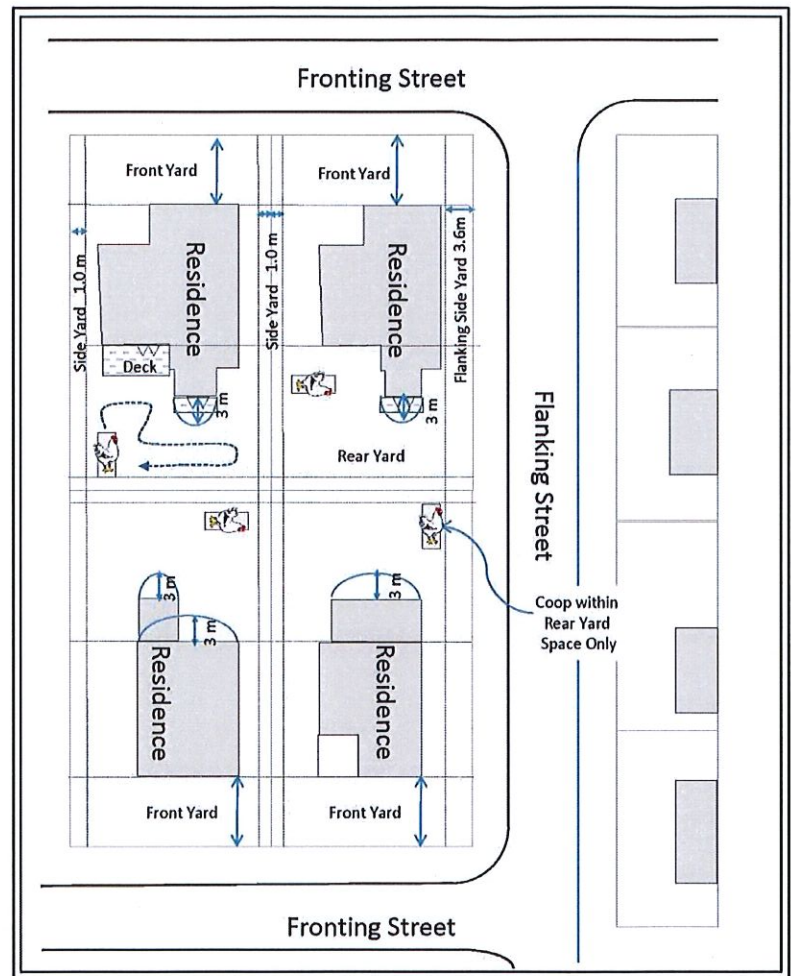
4.7 Any Owner of Urban Hens must reside on the property where the Urban Hens are kept.

## 5.0 URBAN HEN COOP AND RUN REQUIRMENTS

5.1 No person shall keep an Urban Hen or Urban Hens, on a parcel in a single-family residential zone, having an area less than 464.52 sq. metres (5,000 ft<sup>2</sup>).

5.2 Every building (coop) or enclosure used to accommodate Urban Hens must be:

- a. located in the rear yard of the lot behind the dwelling;
- b. a minimum of 3.0 metres (9.8 ft) from the principle dwelling;
- c. a minimum of 1.0 metre (3.3. ft) from any property line;
- d. a maximum of 10 sq. metres (107.6 sq. ft) in size;
- e. a maximum of 2.5 metres (8 ft) in height;



5.3 The Owner shall ensure Urban Hen coops, Urban Hen houses, and Urban Hen runs are properly maintained in a clean condition to prevent negative impacts. Including, but not limited to, attacking nuisance animals, the spread of food over the property, and obnoxious odors, or noise.

5.4 The Owner must ensure the coop and outdoor enclosure are secured from sunset to sunrise.

5.5 Hen Tractors may be used to move urban hens to new areas for foraging during daylight hours.

## 6.0 RESPONSIBILITIES OF HEN OWNERS

### 6.1 The Owner of an Urban Hen(s) shall:

- a) ensure the rear yard is securely fenced;
- b) ensure that the Urban Hen is not running-at-large;
- c) ensure food is stored in such a way as to discourage predators;
- d) ensure manure is stored in an enclosed container and disposed of, as per health regulations;
- e) keep a food container and water container in the Coop;
- f) remove leftover feed, trash, and manure within 48 hours;
- g) store feed within a fully enclosed container;
- h) not keep an Urban Hen in a cage, kennel, or any other form of shelter other than a Coop or approved Tractor;
- i) not sell eggs, meat, manure, or other products derived from Urban Hens;
- j) not slaughter an Urban Hen on the property;
- k) dispose of an Urban Hen except by delivering it to a farm, Abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Urban Hens;
- l) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak;

## 7.0 LICENSING

7.1 A person may not keep an Urban Hen unless that person first submits a completed Urban Hen Registration Application to the Town and receives validation of registration from the Town.

7.2 The Town may not validate an Urban Hen registration application form unless the following has been satisfied:

- a) The initial permit has been reviewed by the planning and development department to ensure compliance with the required regulations and guidelines, of which the applicant of the Urban Hen registration application form will be



contacted within 10 days upon reception of the completed application;

- b) the applicant is the owner of the property and resides on the property on which the Urban Hens will be kept, or the applicant resides on the lot and has written consent from the registered owner of the property to allow Urban Hens to be kept on the property;
- c) the applicant has a valid Alberta Poultry Premises Identification (PID) number obtained from Alberta Agriculture and Forestry, and a copy is provided to the Town;
- d) all other required information on the Town's Urban Hen License application form has been provided including payment.

7.3 A person may apply to keep up to five (5) Urban Hens by:

- a) Applying for an annual Urban Hen License from the Town Office during regular business hours: and
- b) Paying an annual \$50.00 Urban Hen License fee , which is due and payable prior to January 31 of each subsequent year.
- c) Urban Hen Licenses fees shall not be reduced or prorated regardless of the month of purchase.
- d) Urban Hen License fees that have been paid shall not be refunded or rebated.

7.4 Upon payment of the Urban Hen License fee by the owner, the Town Office shall issue to the Owner a certificate of licensing.

7.5 A validated Urban Hen License is not transferable from one person to another or from one property to another.

7.6 A person to whom an Urban Hen License has been issued shall produce the license at the demand of the Chief Administrative Officer or Animal Control Officer.

7.7 The maximum number of Urban Hen Licenses that may be issued in the Town shall be one (1) Urban Hen License per one hundred (100) persons, based on the population of the Town of Eckville, as determined in the most recent census.

## 8.0 PENALTIES

- 8.1 A person who contravenes any provision of this bylaw is guilty of an offence.
- 8.2 No person shall willfully obstruct, hinder, or interfere with an Animal Control Officer or any other person authorized to enforce and engage in the enforcement of the provisions of this Bylaw.
- 8.3 A person who is guilty of a first offense is liable to a fine of fifty (\$50.00) dollars.
- 8.4 A person who is guilty of a second offense is liable to a fine of one hundred (\$100.00) dollars.
- 8.5 Where a person has been found to have contravened the Bylaw two (2) or more times within one twelve (12) month period, the Town reserves the right to revoke the Urban Hen License.

**9.0 COMMENCEMENT**

The Bylaw shall come into full force and effect January 1, 2021.

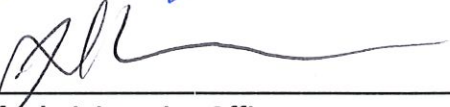
**READ A FIRST TIME this 10<sup>th</sup> day of August, 2020.**

**READ A SECOND TIME this 14<sup>th</sup> day of September, 2020.**

**READ A THIRD AND FINAL TIME this 26th day of October, 2020.**



  
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Town of Eckville Mayor

  
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Chief Administrative Officer