

**TOWN OF CROSSFIELD
URBAN HEN BYLAW
BYLAW NO. 2019-04**

BEING A BYLAW OF THE TOWN OF CROSSFIELD, IN THE PROVINCE OF ALBERTA, TO REGULATE THE KEEPING OF HENS IN URBAN AREAS WITHIN THE TOWN OF CROSSFIELD:

WHEREAS, pursuant to the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 and amendments thereto (the "Act") a council 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;

WHEREAS, pursuant to the Act, a council has the authority to provide a system of licenses, permit and approvals and

WHEREAS Council deems it necessary to assess the viability of keeping urban hens within the Town and;

NOTWITHSTANDING any other Town Bylaws or Regulations enacted by Council;

NOW THEREFORE the Council of the Town of Crossfield enacts a time constrained Urban Hen Bylaw as follows:

1.0 PURPOSE

1.1 This bylaw may be known as 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 under the *Municipal Government Act*, 2000, Chapter M-26 and amendments thereto.
- d) **Council:** means the Council of the Town of Crossfield.
- 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 hens at night and includes a secure place for hens to lay eggs and eat.
 - h) **Hen License:** means a license issued by the Town of Crossfield pursuant to this bylaw authorizing the license holder to keep urban hens on a specific property within an urban area.
 - i) **Licensee:** means a Person named on a License.
 - j) **Municipal Enforcement Officer/Community Peace Officer:** means a Person as appointed by the Town of Crossfield by resolution of Council.
 - k) **Municipal Tag:** means a document alleging an offence issued pursuant to the authority of a Bylaw of the Town.
 - l) **Outdoor Enclosure (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.
 - m) **Owner:** includes any one or more Persons who:
 - (i) is named on a License; or
 - (ii) a person who owns or claims any proprietary interest in a hen;
 - (iii) Has the care, charges, custody, possession or control of the hen, either temporarily or permanently; or
 - (iv) Harbors a hen, or allows a hen to remain on his/her Property
 - n) **Owners Property:** means any Premises which are owned or leased by the Owner.
 - o) **Premise:** means any dwelling, building and any parcel or lot of real property or a portion thereof.
 - p) **Rooster:** means a domesticated male chicken.
 - q) **Running at Large:** means a hen being outside a coop or run.
 - r) **Town:** means the municipal corporation of the Town of Crossfield, or the area contained within the boundary thereof as the context requires means the area of land within the corporate boundaries.
 - s) **Town Office:** means the Chief Administrative Officer, Municipal Clerk,

Administrative Assistant, the Municipal Secretary, or any other staff member authorized to carry out their duties.

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

3.0 REGULATIONS

3.1 A person may apply to keep no more than three (3) urban hens in a single property.

3.2 The owner must be 18 years of age or older.

3.3 Hens kept on the property are for personal use only.

3.4 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 Crossfield;
- c. sell eggs, manure, meat and other products associated with keeping of hens;
- d. slaughter hens on the property;

3.5 Any deceased hens shall be disposed of by delivering it to an abattoir, veterinarians, or other operation that is lawfully permitted to dispose of such.

3.6 A tenant must obtain written permission from the registered property owner to keep hens on the owner's property.

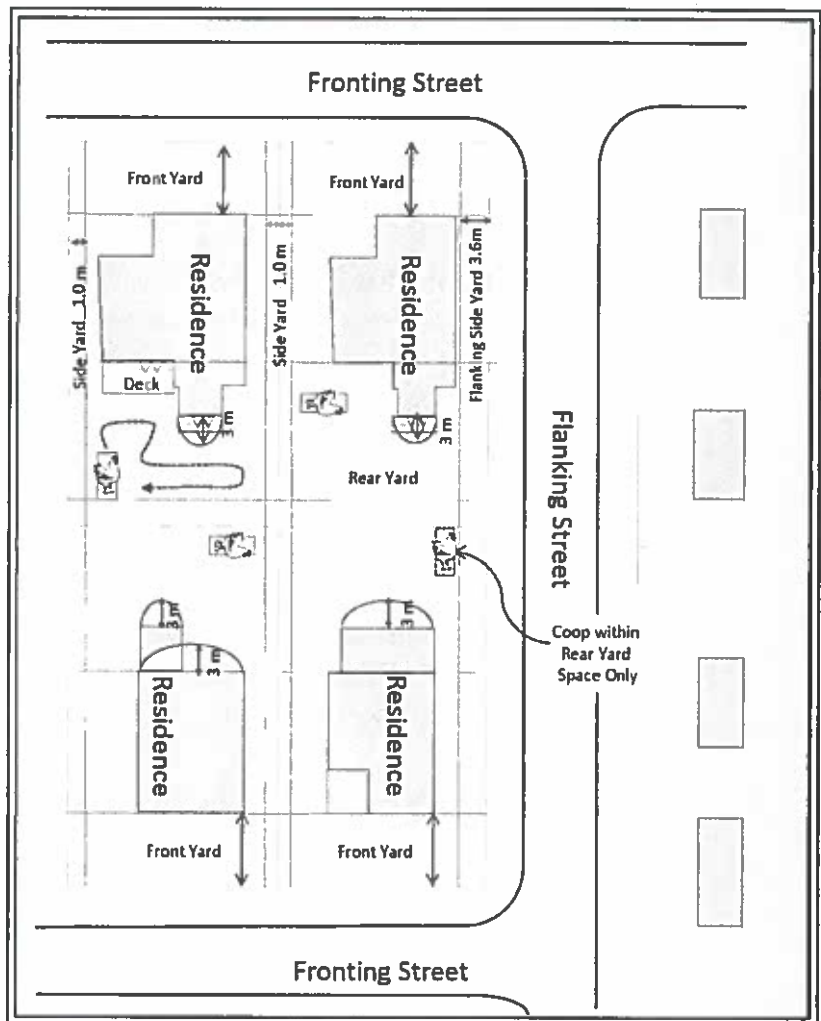
3.7 Any owner of the hens must reside on the property where the hens are kept.

4.0 HEN COOP AND RUN REQUIREMENTS

4.1 No person shall keep a hen or hens on a parcel in a single family residential zone having an area less than 464.52 m² (5,000 ft²).

4.2 Every building (coop) or enclosure used to accommodate hens must be:

- a. located in the rear yard of the lot behind the dwelling;
- b. a minimum of 3.0 m (9.8 ft) from principle dwelling;
- c. a minimum of 1.0 m (3.3 ft) from any property line;
- d. a maximum of 10 sq m (107.6 sq ft) in size;
- e. located at ground level, and a maximum of 2.0 m (6.5 ft) in height;
- f. provide each hen with at least one nest box and one perch, that is at least 15 centimeters [6 inches] long, within a Coop.



4.3 The owner shall ensure hen coops, hen houses and 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 shall be kept free of obnoxious odors, or noise;

4.4 The owner must ensure the coop and outdoor enclosure are secured from sunset to sunrise.

5.0 RESPONSIBILITIES OF HEN OWNERS

5.1 The owner of a hen shall:

- a) ensure the rear yard is securely fenced;
- b) ensure that the hen is not running at large;
- c) ensure food is stored in such a way as to discourage predators;
- d) ensure manure is disposed of in accordance with municipal bylaws;
- e) keep a food container and water container in the coop;
- f) remove leftover feed, trash and manure in a within 48 hours;
- g) store feed within a fully enclosed container;
- h) follow biosecurity procedures recommend by the Canadian Food Inspection Agency to reduce potential for disease outbreak;
- i) not keep an urban hen in a cage, kennel or any other form of shelter other than a coop.

6.0 LICENSING

6.1 A person may not keep a hen unless that person first submits a completed hen registration application to the Town and receives validation of registration from the Town.

6.2 The Town may not validate a hen registration application form unless that the following has been satisfied:

- a) The initial permit has reviewed by the planning and development department to ensure compliance with the required regulations and guidelines. You will be contact within 10 days upon receipt of the completed application;
- b) the applicant is the owner of the property and resides on the property on which the hens will be kept, or the applicant resides on the lot and has written consent from the registered owner of the property to allow hens to be kept on the property;
- c) a valid Alberta Poultry Premises Identification (PID) number obtained from the Alberta Agricultural and Forestry, and a copy is provided to the Town;

- d) all other required information on the Town's hen application form has been provided including payment.

6.3 A person may apply to keep up to three (3) urban hens by:

- a) applying for an annual license by January 31 of each year from the Town Office during regular business hours;
- b) paying a yearly license fee of \$20.00 per hen which is due and payable prior to January 31 of each year;
- c) Licenses fees shall not be reduced or prorated no matter the month of purchase.
- d) License fees that have been paid shall not be refunded or rebated.

6.4 Upon payment of the license fee by the owner, the Town Office shall issue to the owner a certificate for each hen licensed.

6.5 A validated hen registration is not transferable from one person to another or from one property to another.

6.6 A person to whom a hen license has been issued shall produce the license at the demand of the Chief Administrative Officer or Peace Officer.

6.7 The maximum number of urban hen licenses that may be issued in the Town for the period that the Urban Program is in force shall be fifteen (15). Each subsequent year, and if the program is approved to continue, the maximum number of hen licenses that may be issued shall be one hen license per one hundred (100) persons based on the population of the Town of Crossfield as determined in the most recent census.

7.0 COMMUNICABLE DISEASES

7.1 An owner of a hen that is suffering from a communicable disease:

- a) shall immediately report the matter to the Animal Control Officer, a Veterinarian, Inspector of the Health of Animals Branch of the local office of the Federal Department of Agriculture.
- b) shall confine or isolate the hen, in such a manner as prescribed by the persons in subsection 6 (a), so as to prevent further spread of the disease; and
- c) shall not permit the hen to be in any public place; and
- d) shall not keep the hen in contact with or in proximity to any other animal free of

such disease; and

e) shall keep the hen confined for not less than ten (10) days.

8.0 PENALTIES - VOLUNTARY PAYMENT TICKETS

8.1 A person who contravenes any provision of this bylaw shall be deemed an unlicensed urban hen owner for the purposes of the Urban Hen Bylaw.

8.2 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.

8.3 Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the minimum specified penalty for the offence.

8.4 Where a person contravenes the same provision of this Bylaw two (2) or more times within one twelve (12) month period, the specified penalty payable in respect of the second or subsequent contravention shall be the amount stated in Schedule "A" for such offences.

9.0 COMMENCEMENT

The Bylaw shall come into full force and effect upon third and final reading.

Given first reading this 22nd day of January, 2019

Given a second reading this 22nd day of January, 2019

Brought forward for third and final reading this 22nd day of January 2019

Read a third and passed unanimous consent of Council this 22nd day of January, 2019



Mayor Jo Tennant



Chief Administrative Officer
Ken Bosman

PENALTIES - VOLUNTARY PAYMENT TICKETS

Section	Offence	PENALTY 1st Offence	PENALTY 2nd Offence
3.1	Keep more than 3 hens	\$250.00	\$500.00
3.4 a	Keep a rooster	\$250.00	\$500.00
3.4 c	Sell products derived from urban hens (eggs, manure, meat etc.)	\$250.00	\$500.00
4.1	Keep hens on improper lot size	\$250.00	\$500.00
4.2 a,b,c	Coop improperly located	\$250.00	\$500.00
4.2 d	Fail to provide adequate coop space for number of hens	\$250.00	\$500.00
4.2 f	Fail to provide nest box or perch per urban hen	\$250.00	\$500.00
4.3	Nuisance, untidy, unsightly property	\$250.00	\$500.00
4.3	Fail to prevent rodents/animals from entering coop	\$250.00	\$500.00
4.3	Fail to maintain coop to prevent odors	\$250.00	\$500.00
4.4	Fail to keep coop secured	\$250.00	\$500.00
5.1 e	Fail to keep food and water in coop	\$250.00	\$500.00
5.1 g	Fail to remove waste in timely manner	\$250.00	\$500.00
5.1 h	Fail to follow biosecurity procedures	\$250.00	\$500.00
5.1 i	Keep urban hen in other form of shelter other than coop	\$250.00	\$500.00
6.1	Keep an unlicensed urban hen	\$250.00	\$500.00
6.3	Fail to renew urban hen license	\$250.00	\$500.00