

BYLAW NO. 7.2024
OF THE TOWN OF VERMILION,
IN THE PROVINCE OF ALBERTA,
TO REGULATE THE KEEPING OF LAYING HENS 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 provide for a system of licenses, permits and approvals.

NOW THEREFORE, COUNCIL OF THE TOWN OF VERMILION, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

1. This bylaw may be called the “Urban Laying Hen Bylaw”.

2. For the purposes of this bylaw:

(a) “Urban Laying Hen License” means a license issued by the Town pursuant to this Bylaw authorizing the license holder to keep Urban Laying Hens on a specific property within an Urban Area.

(b) “Coop” means a fully enclosed weatherproof structure and attached Outdoor Enclosure used for the keeping of Urban Laying Hens, that is no larger than 10 m² in floor area, and no more than 2.4m in height.

(c) “Hen” means a domesticated female Urban Laying Hen.

(d) “Municipal Tag” means a document alleging an offence issued pursuant to the authority of a Bylaw of the Town.

(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 Laying Hens 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 Laying Hen” 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 Town on which agricultural operations.

Purpose

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

12. A person to whom an Urban Laying Hen License has been issued shall produce the license at the demand of the Town or a Peace Officer.

Keeping of Urban Urban Laying Hens

13. A person who keeps Urban Laying Hens must:

(a) any person wanting to keep urban Laying Hens must obtain a Premises Identification (PID) under the Alberta Animal Health Act

(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) locate the coop in a place that is mindful and considerate of neighbours.

(d) provide each Hen with food, water, shelter, light, ventilation, care, and opportunities for essential behaviors such as scratching, dustbathing, 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) dispose and store 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 accordingly.

(m) provide each Hen with at least 0.37 m² of interior floor area, and no greater than a total of 8m² of Outdoor Enclosure, within the Coop.

(n) Follow procedures recommended by the Federal and Provincial Governments to reduce potential disease outbreak.

(o) keep Hens for personal use only.

14. No person who keeps Urban Laying Hens 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

(i) not to be disposed of in any variation of a town owned waste disposal unit; 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 a person at his or her last known post office address.

20. The Municipal Tag shall be in a form approved by the Town 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 that may be required by the Town. 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 Town 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:

(a) if a Violation Ticket is issued in respect of the offence; and

(b) 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 The Town

27.Without restricting any other power, duty or function granted by this Bylaw, the Town 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 Town employee.

General

28.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 license.

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 a third reading and has been duly signed.

READ A FIRST TIME IN COUNCIL THIS 16th DAY OF July, A.D. 2024

Deputy Mayor



Interim Chief Administrative Officer

READ A SECOND TIME IN COUNCIL THIS 13th DAY OF
August, A.D. 2024

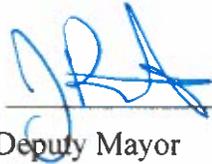


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