

BY-LAW # 729 - 2020  
VILLAGE OF DONALDA

WHEREAS, Pursuant to section 7 of the *Municipal Government Act, RSA, c M-36, and any amending or succeeding legislation*; 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 licenses, permits, and approvals.

NOW THEREFORE, COUNCIL OF THE VILLAGE OF DONALDA, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

**PART 1 - PURPOSE**

The purpose of this bylaw is to regulate and provide guidelines for residents to keep bees in districts designated Direct Control and/or Industrial and thereby prohibiting bees in General Residential, Low Density Residential, Central Commercial, Commercial Retail, Urban Reserve, Parks and Recreation and Public Use land use districts under Village of Donalda Land Use Bylaw # 625 and to remain in compliance with both the parameters of this Bylaw and any associated bylaws, provincial or federal enactments that may apply.

**PART 2 – INTERPRETATION**

2.1 This Bylaw will be cited as the “Urban Bees Regulation Bylaw”.

**2.2 Definitions**

- a) “Act” means the Municipal Government Act as amended from time to time;
- b) “Adjoining Neighbours” means a site that is contiguous along a common property line. If the subject site is located on a corner, an adjoining site includes a site that is adjacent across a rear lane, but not across a street;
- c) “Animal Health Act” means Statute of Alberta, 2007, Chapter A-40.2;
- d) “Bee” means the insect *Apis mellifera L.*, also known as honey bees;
- e) “Beekeeper” means a person who owns and possesses bees or beekeeping equipment or both;
- f) “Bylaw” means a bylaw of the Village of Donalda and amendments thereto;
- g) “CAO” means the person appointed to the position of Chief Administrative Officer by Council pursuant to the Act;
- h) “Council” means the Mayor and other members of the Council of the Village of Donalda as duly elected from time to time pursuant to the provisions contained in the Local Authorities Election Act;
- i) “Hive” means beehive equipment inhabited by bees;
- j) “Land Use Bylaw” means the most recent, approved bylaw that governs land use within the Village of Donalda;
- k) “Licence” means the holder of a licence issued pursuant to this bylaw authorizing the licence holder to keep urban bees on a specific property within a residential neighbourhood;
- l) “Licensee” means the holder of a licence pursuant to this bylaw;
- m) “Peace Officer” is as defined in the Provincial Offences Procedure Act, RSA 2000, c P-34, and any amending or succeeding legislation;
- n) “Pedestrian Walkway” means a path, trail, or sidewalk for pedestrian circulation that cannot be used for motorized vehicular use;
- o) “Planning & Development Services” means a department of the Village of Donalda
- p) “Provincial Apiculturist” means the individual designated as the Provincial Apiculturist in accordance with the Bee Act;
- q) “Super” means a Beehive box which holds frames used for brood rearing and storing honey;
- r) “Village” means the Village of Donalda;
- s) “Urban Chicken” means a Hen that is at least 16 weeks of age and is kept for non-commercial purposes.

**PART 3 – RESPONSIBILITIES OF LICENCE HOLDERS**

**3.1 Urban Bees Licence**

3.1.1 Beekeepers must comply with the *Bee Act* and the *Animal Health Act*.

3.1.2 Beekeepers, or the owner of any parcel of land on which bees are kept, must ensure:

- 5.4 Licence application or renewals that are denied may be reconsidered by the CAO, upon request of the licensee, within thirty (30) business days of the decision rendered by the Village.
- 5.5 A new licence can be applied for at any time of the year. However, licences expire on December 31<sup>st</sup> each year and must be annually renewed by January 31<sup>st</sup> of the following year or a late fee may be applied in addition to the annual licence fee.

**PART 6 – HIVE REQUIREMENTS**

- 6.1 A hive is recommended to include a bottom board, a hive cover, and a maximum of four (4) Supers. The hive must not measure more than 127 cm (50 in.) x 51 cm (20 in.) x 51 cm (20 in.).
- Hives of other dimensions or design will be considered with sufficient evidence to support the ensured welfare of the bees.
- 6.2 Hive entrances are to be directed away from adjoining properties.
- 6.3 Hives are to be located:
- a) At a minimum distance of three (3) metres (10 ft.) from all property lines; and
- 6.4 Hives located in open spaces, must be located a minimum of three (3) metres (10 ft.) from all property lines and be located within a secure enclosure
- 6.5 Hives on properties located adjacent to pedestrian walkways must be located a minimum of three (3) meters (10 ft.) from the property line adjacent to the pedestrian walkway

**PART 7 – LICENCE APPLICATION AND INFORMATION**

- 7.1 Before the issuance or renewal of a licence to this part, the applicant or licensee must submit to the Village:
- a) A completed licence application form, as supplied by the CAO;
- b) The appropriate licence fee prescribed in Schedule ‘A’ attached to this bylaw; and
- c) Any other additional information required by the Village, including, but not limited to:
- a. The name, address, and contact information of the applicant or licensee;
- b. Written permission from the registered property owner, if different, to install hive(s) on the property.
- c. A drawing that shows the hive location on the property, and associated setbacks if there is no solid fence and/or the property is adjacent to a pedestrian walkway (if applicable);
- d. Proof of success in training from an accepted organization or association;
- e. Disease and swarm safety plan for urban bees at the site;
- f. Proof of registration with the Provincial Apiculturist every year by June 30; and
- g. Plan for disposal of animal waste.
- 7.2 Notwithstanding Section 7.1, at the time of initial application for a licence, the applicant must submit to the Village either:
- a) Written support from all adjoining neighbours to the issuance of a licence for urban bees; or
- b) Evidence that all adjoining neighbours have been asked for their support or views by the applicant and given reasonable time to respond or contact the Village.
- 7.3 Refusal by one or more adjoining neighbours to support an application will leave an application approval or refusal at the discretion of the CAO or designate, who may choose to contact adjoining neighbours for additional information.
- 7.4 Valid licences expire on December 31<sup>st</sup> each year and must be annually renewed by January 31<sup>st</sup> of the following year or a late fee may be applied in addition to the annual licence fee.
- 7.5 No person shall give false information when applying for a licence pursuant to this bylaw.
- 7.6 The Village may refuse to issue a licence or may revoke a licence by providing written notice to the applicant or licensee.
- PART 8 – OFFENCES AND PENALTIES:**
- 8.1 Any person who contravenes any provision of this bylaw by:

9.3 Read a **second** time this 17<sup>th</sup> day of November 2020.

**VILLAGE OF DONALDA**

*Signature on File*  
CHIEF ELECTED OFFICIAL

*Signature on File*  
CHIEF ADMINISTRATIVE OFFICER

9.4 Read a **third** time this 17<sup>th</sup> day of November 2020.

**VILLAGE OF DONALDA**

*Signature on File*  
CHIEF ELECTED OFFICIAL

*Signature on File*  
CHIEF ADMINISTRATIVE OFFICER

BY-LAW # 729 – 2020  
SCHEDULE 'A'  
Urban Bees

(GST not Applicable)

DESCRIPTION	FEE	EXPLANATORY INFORMATION
Application/ Renewal for up to 2 Hives for Urban Bees	\$20 per annum	Section 7 of Bylaw
Late Payment Fee	\$35 in addition	Section 7.4

BY-LAW # 729 -- 2020  
SCHEDULE 'B'  
Urban Bees

The specified penalties for any contravention of this bylaw #729 -- 2020 are specified for within a twelve (12) month period, as follows:

**First Offence:        \$250.00**

**Second Offence:     \$500.00**

**Third Offence:       \$750.00**