

BY-LAW # 728 - 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 the keeping of chickens within the corporate boundaries of the Village of Donalda in districts designated General Residential and Low Density Residential, thereby prohibiting chickens in Central Commercial, Commercial Retail, Direct Control Parks and Recreation, Public Use and Urban Reserve, under the 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 Chickens 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) “Bylaw” means a bylaw of the Village of Donalda and amendments thereto;
- f) “CAO” means the person appointed to the position of Chief Administrative Officer by Council pursuant to the Act;
- g) “Coop” means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Urban Chickens pursuant to any applicable accessory building or structure provisions in Land Use Bylaw;
- 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) “Hen” means a domesticated female chicken;
- 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 chickens on a specific property within a residential neighbourhood;
- l) “Licensee” means the holder of a licence pursuant to this bylaw;
- m) “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 Chickens to roam;
- n) “Peace Officer” is as defined in the Provincial Offences Procedure Act, RSA 2000, c P-34, and any amending or succeeding legislation;
- o) Pedestrian Walkway” means a path, trail, or sidewalk for pedestrian circulation that cannot be used for motorized vehicular use;
- p) “Planning & Development Services” means a department of the Village of Donalda
- q) “Rooster” means a domesticated male chicken;
- 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 Chicken Licence**

- 5.2 An approved licence can be suspended or revoked, without refund or compensation by the CAO, at any time if it can be determined by a Peace Officer that there is a non-compliance with this bylaw or the licence application.
- a) A licensee 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.
- 5.3 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.
- 5.4 A licence can be applied for at any time of the year.

**PART 6 – COOP REQUIREMENTS**

- 6.1 Only hens will be allowed to be kept.
- 6.2 Roosters are permitted while being limited to one (1) rooster per one (1) parcel of General Residential or Low Density Residential.
- 6.3 Each hen must be provided with food, water, shelter, light, ventilation, care, and opportunities for essential behaviours such as scratching, dustbathing, and roosting, all sufficient to maintain the hen in good health.
- 6.4 No chickens shall be slaughtered on the property.
- 6.5 Hens will be disposed of by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of hens.
- 6.6 Coops are restricted to rear yards with reasonable protection from access to other animals or children and each coop must provide each hen with a minimum of 0.028 square meters of interior floor area at maturity as outlined in the National Farm Animal Care Council Code of Practice for the Care and Handling of Pullets and Laying Hens 2017.
- 6.7 The licensee must provide and maintain, in the coop, at least one nest box per coop and one per hen that is at least 15 cm long.
- 6.8 A licensee must keep each hen and/or rooster in the coop rear, enclosed yard, with a fence that is a minimum 1.8 meters (6 feet) in height, always.
- 6.9 The coop must be maintained in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances. The rear, enclosed yard must be in good sanitary condition, and free from vermin and noxious or offensive smells or substances.
- 6.10 A licensee must 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.

**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 a coop on the property.
    - c. A drawing that shows the coop 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 a Premises Identification (PIO) number pursuant to the *Animal Health Act*.
    - e. 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 chickens;
- or

9.1 This bylaw shall come into full force and effect upon adoption.

9.2 Read a **first** time this 15<sup>th</sup> day of September, 2020.

VILLAGE OF DONALDA

*Signature on File*  
\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

*Signature on File*  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

9.3 Read a **second** time this 20<sup>th</sup> day of October, 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 # 728 – 2020  
SCHEDULE 'A'  
Urban Chickens

(GST not Applicable)

DESCRIPTION	FEE	EXPLANATORY INFORMATION
Application/ Renewal for up to 6 Urban Chickens	\$20 per annum	Section 7 of Bylaw
Late Payment Fee	\$35 in addition	Section 7.4

BY-LAW # 728 – 2020  
SCHEDULE 'B'  
Urban Chickens

The specified penalties for any contravention of this bylaw #728 – 2020 are specified for within a twelve (12) month period, as follows:

**First Offence:**           **\$250.00**

**Second Offence:**       **\$500.00**

**Third Offence:**         **\$750.00**