



File #: AR-18-533, Version: 1

Backyard Hens Pilot Project Outcomes and Bylaws Related (GPFC)

Presented by: Tracy Tsui, Planner

RECOMMENDATION(S)

1. That the Governance, Priorities, and Finance Committee recommend to Council that Bylaw 32/2018, being the Hen Bylaw, be read a first time on January 7, 2019.
2. That the Governance, Priorities, and Finance Committee recommend to Council that Bylaw 36/2018, being amendment 1 to the Animal Control Bylaw 11/2013, be read a first time on January 7, 2019.
3. That the Governance, Priorities, and Finance Committee recommend to Council that Bylaw 37/2018, being amendment 163 to the Land Use Bylaw 9/2005, be read a first time on January 7, 2019..
4. That the Governance, Priorities, and Finance Committee recommend to Council that upon passing of third reading of Hen Bylaw 32/2018 that the 2019 revenue budget be increased by \$1,600.00 for estimated licence fees.

PURPOSE OF REPORT

The purpose of this report is to present to the Governance, Priorities, and Finance Committee (GPFC), the outcomes of the Backyard Hen Pilot Project, and the proposed and amending bylaws related to hen keeping in the City of St. Albert. The bylaws include the proposed Hen Bylaw, and amendments to the Animal Control Bylaw and Land Use Bylaw.

ALIGNMENT TO COUNCIL DIRECTION

On September 26, 2016, Council approved the following motions:

1. That Administration implement a backyard hen pilot project with the following guidelines:
 1. No more than 3-4 hens per residential property;
 2. All hens must be 4 months or older;
 3. The keeping of roosters is prohibited;
 4. Hens must be in their coops from 9 pm - 6 am;
 5. Hens must be in an enclosed hen run when not in their coop;

6. Hen coops must be maintained in a clean condition, free of noxious odors, substances etc. and conform to the Community Standards Bylaw;
 7. Home slaughter of hens is prohibited;
 8. Keeping of hens will be for non-commercial purposes;
 9. A limit of 20 participants for the duration of the pilot; and
 10. Require a 60 metre radius notification with unanimous consent by the affected property owners.
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2. That Administration conduct a Backyard Hen Pilot Project as outlined in “St. Albert Backyard Hen Pilot Project Terms of Reference” provided as Attachment 1 to the September 26, 2016 agenda report entitled “St. Albert Backyard Hen Pilot Project”, as amended to consider condition 10, with funding of \$15,000 provided from the Council Contingency Fund.
 3. That Administration provide Council three updates through Council Advisories including: When courses are offered, when the details on the guidelines for having hens are finalized, and when the selection of participants to partake in the Pilot Program will occur.
 4. That Administration report back to Council in October 2018, to provide the outcome of the Backyard Hen Pilot Project and recommendations for future actions.

Based on the public feedback regarding the backyard hen keeping pilot application process, the requirement to have unanimous consent within a 60-metre radius posed an obstacle for many interested residents. Therefore, on April 24, 2017, Administration recommended the following additional Council motions in relation to the Backyard Hen Pilot Project:

1. That the amended St. Albert Backyard Hen Pilot Project Terms of Reference dated April 24, 2017, provided as an attachment to the April 24, 2017 agenda report entitled “Backyard Hens Pilot Project Update on Participation & Request to Change the Radius Notification”, be approved.
2. That Administration provide Council an update through a Council Advisory regarding the number of participants in the Pilot Program in July 2017. This update would be based on the reduced radius and additional time for residents to apply.
3. That Administration report back to Council in February 2019, to provide the outcome of the Backyard Hen Pilot Project and recommendations for future actions.

Council did not pass any of these recommended motions, so the motions approved by Council on September 26, 2016 remain in effect.

On October 15, 2018, Council approved a motion to extend the time for Administration to report back to Council regarding the outcome of the Backyard Hens Pilot Project and recommendations for future actions, to the Governance, Priorities and Finance Committee meeting of December 10, 2018.

BACKGROUND AND DISCUSSION

Pilot Launch

The Backyard Hen Pilot Project launched on February 6, 2017, and applications were due on March 7, 2017. The goal was to provide selected residents the opportunity to participate and learn from this pilot, and for City Administration to understand the impacts of hen keeping and to determine good husbandry principles within an urban context.

Seven (7) applications were submitted, of which three (3) applications were deemed complete as per the St. Albert Backyard Hen Pilot Project Terms of Reference. The selected households reside in the southern area of St. Albert: two in Grandin, and one in Akinsdale. Households have both experienced and inexperienced hen owners. Between April and May 2017, all selected households completed a hen keeping course and fulfilled other various steps such as obtaining coops and hens, ensuring that their coops conform to the City's Land Use Bylaw, and obtaining their Premises Identification (PID) number from the Province.

Pilot Results

Inspections were held three times over the course of the pilot project, in August 2017, December 2017, and April/May 2018. One household did not have a coop that was winter-proof and therefore did not keep their hens over the winter months. No December inspection was completed for this household.

The pilot had various chicken breeds: Orpington, Speckled Sussex, Silkie, Easter Egger, and Buff Brahma. Each household's hens laid about 0 to 3 eggs a day, with egg production slower over the winter months. All coops were observed to have been kept in clean condition through proper disposal of waste, and changing of bedding in the nest boxes and ground materials of the outdoor pens. The hens' diet generally consisted of basic chicken feed, kitchen scraps, and oyster shells (a source of calcium). All hens remained healthy, however, two hens passed away unexpectedly during the duration of the pilot. Deceased hens were double-bagged and properly disposed of in the brown bins, as recommended by the City's Waste & Diversion Programs.

The City has received no complaints from neighbours or the public during the pilot project. Neighbours were consulted, when present during inspections, and neighbours have indicated no concerns.

The City has continued to receive interest from the public over the course of the pilot project. Interested residents were informed that only those selected could keep hens, and others would need to wait until Council makes the decision on whether to permit hen keeping in the future. At this time, all three selected households still have their hens, as the outcome of hen keeping in the City is to be determined.

Administration's Recommendation

Based upon the findings of the pilot program, obtaining neighbour consent is not supported by the public for the following reasons:

- It does not keep neighbour anonymity. For example, neighbours that do not support hen keeping, do not want their viewpoint to harm neighbour relations.
- Some applicants may not receive consent, which automatically means that they will not have the opportunity to keep hens.

- Obtaining written consent is not a requirement for other animals, such as cats and dogs.

As such, Administration is recommending that applicants demonstrate neighbour notification to only adjoining sites. As per the Land Use Bylaw, an *adjoining site* is “a site that is contiguous to another site along a common property line. In the Established Neighbourhood Overlay District, if the subject site is located on a corner, an adjoining site also includes a site that is adjacent across a rear lane, but not across a street.”

An *adjoining site* could include and require notification to a different body:

- A residential lot - notification required to the property owner.
- Apartment - notification required to the building or property manager.
- Religious Assembly - notification required to the office.
- School - notification required to the principal.
- Seniors Housing complex - notification required to the office.
- Housing complex - notification required to the condominium association board.
- Commercial development (such as shopping malls and strip malls) - notification required to the building or property manager.
- Other developments - contact the City (780-459-1642 or hens@stalbert.ca) to determine how to provide notification.

Administration also researched what other municipalities did regarding neighbour consultation for hen keeping:

- Edmonton requires that neighbours of the subject property sign a letter that they have been notified, but applicants do not need consent.
- Red Deer, Vancouver, Victoria, Esquimalt, Burnaby, Richmond, Surrey, and New Westminster do not require neighbour consent or notification.

Bylaw Review and Amendments

In order to allow legal hen keeping in St. Albert, Administration is recommending that Council approve the proposed Hen Bylaw, and amendments to the Animal Control Bylaw and the Land Use Bylaw.

- Hen Bylaw

Bylaw 32/2018, being a bylaw for hen keeping, was prepared as a stand-alone bylaw. As the Animal Control Bylaw is primarily focused on dogs, and a stand-alone bylaw was created for urban beekeeping, it was determined that it was best to create a stand-alone bylaw for hen keeping. Please see attached entitled: *Hen Bylaw*.

The Hen Bylaw includes the following, but not limited to, sections:

1. Licence Application Requirements:
 - Hen keeper's name, address, contact information, and number of hens;

- Demonstrated notification from all adjoining properties;
 - A site plan showing the location, setbacks, and area of the hen coop;
 - Proof of success in hen keeping training;
 - A Premise Identification (PID) number; and
 - An appeal process for the applicant and neighbours.
2. Responsibilities and General Regulations:
- Hen keepers must provide good husbandry and maintenance practices;
 - The sale of egg products is not allowed;
 - A maximum of four (4) hens are permitted;
 - Roosters are not permitted; and
 - Hens must be a minimum 4 months (16 weeks) of age at the time of purchase.
3. Coop Location and Size:
- Hen coops are only permitted in the rear yard of residential properties, provided that all requirements are met;
 - The rear yard must be fully fenced;
 - Coops must have a minimum setback of 1.0 metre from the side and rear property lines, 3.0 metres from the windows and doors of dwellings, and 1.5 metres from the principal building; and
 - A development permit is required should the proposed hen coop not comply with the Land Use Bylaw's regulations for accessory structures.
- Some minor consequential amendments to the Animal Control Bylaw and to the Land Use Bylaw are also required should the Hen Bylaw be passed.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

\$15,000.00 was allotted to this pilot project from the Council Contingency Fund. A total of \$8,587.16 of the funds were used as follows:

- \$7,621.69 - contracted staff hours
- \$945.92 - contracted services and materials for hen keeping courses
- \$19.55 - other travel and general expenses

The 2019 budget will include an additional licence fee revenue of \$1,600.00 (based on an estimation of 40 licences issued at \$40.00 per licence). While this value is based on Administration's record of public interest, it will be reviewed in subsequent years as a better understanding of the actual uptake is known.

Legal / Risk:

The proposed Hen Bylaw will formalize a requirement to obtain a licence to keep hens. If the licence is not complied with, charges can be laid in Provincial Court (with a \$250 fine upon conviction), the

licence can be revoked, or a Stop Order can be issued under the *Municipal Government Act*.

Program or Service:

None at this time.

Organizational:

The hen keeping application process will require the involvement of various City departments to review applications, issue hen keeping licences, issue development permits for hen coops that exceed coop regulations, and/or enforce the Hen Bylaw.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If the GPFC does not wish to support the recommendations, do not pass the recommendations proposed by Administration. This means that backyard hen keeping may not be permitted in the City of St. Albert, and no bylaws may be considered for amendment in relation to hen keeping. Furthermore, the following exit plans for the selected households of the pilot project may need to be considered:

1. Allow residents to keep their hens until they are deceased.

- There are currently eight (8) hens in the pilot project. The average life span of hens is seven to ten years, depending on the breed. The age range of hens that the selected households currently have is about one and a half to five years old.

OR

2. Require residents to remove all hens from their property as soon as possible or before a deadline.

- The removal of hens may involve relocating hens to another hen keeper where hen keeping is permitted, or to bring hens to a veterinarian, farm, or abattoir for slaughter or to euthanize. Slaughter or euthanizing hens on the pilot project properties is not allowed. The removal of hens would be at the expense of the residents.

Report Date: December 10, 2018

Author(s): Tracy Tsui

Committee/Department: Planning & Development Department

Deputy Chief Administrative Officer/Chief People Officer: Michelle Bonnici

Chief Administrative Officer: Kevin Scoble

CITY OF ST. ALBERT

BYLAW 32/2018

A bylaw to regulate hen keeping within the City of St. Albert

WHEREAS pursuant to the *Municipal Government Act* a council may pass bylaws respecting wild and domestic animals and activities in relation to them;

AND WHEREAS pursuant to the *Municipal Government Act* a council may by bylaw regulate or prohibit, and provide for a system of licences, permits, or approvals;

NOW THEREFORE the City of St. Albert, in Council assembled, ENACTS AS FOLLOWS:

TITLE

1. This bylaw may be referred to as the “Hen Bylaw”

DEFINITIONS

2. In this bylaw:

- a. “Adjoining Neighbour” means an owner or occupant of a property that is contiguous to a Subject Property along a common property line. If the Subject Property is located on a corner lot, an Adjoining Neighbour includes an owner or occupant of property that is adjacent to the Subject Property across a rear lane, but not across a street;
- b. “*Animal Health Act*” means the *Animal Health Act*, SA 2007, C A-40.2 including regulations under that statute;
- c. “Chief Administrative Officer” means the person holding the office of Chief Administrative Officer of the City of St. Albert;
- d. “City” means the municipal corporation of the City of St. Albert;
- e. “Coop” means a fully enclosed structure intended for the keeping of Hens;
- f. “Hen” means a female chicken;
- g. “Hen Keeper” means a person having any right of custody, control, or possession of a Hen;

- h. “Hen Licence” means a licence issued under this bylaw that authorizes the keeping of Hens in the City;
- i. “Licensing Authority” means the Chief Administrative Officer or a person appointed by the Chief Administrative Officer to issue Hen Licences;
- j. “Municipal Violation Tag” means a notice that alleges a bylaw offence and provides a person with the opportunity to pay an amount to the City in lieu of prosecution for the offence;
- k. “Nest Box” means a box within a Coop for the nesting of Hens;
- l. “Peace Officer” has the meaning set out in the *Provincial Offences Procedure Act*, RSA 2000, c P-34;
- m. “Premises Identification (PID) Number” means a nine-character combination of numbers and letters issued by the Province of Alberta pursuant to the provisions of the *Animal Health Act* to owners of livestock;
- n. “Subject Property” means a lot or parcel of land in respect of which a Hen Licence is sought or has been issued;
- o. “Temporary Caregiver” means a person who has been authorized by the Hen Keeper to provide care to their Hens in the event the Hen Keeper is temporarily unable to do so; and
- p. “Violation Ticket” has the meaning set out in the *Provincial Offences Procedure Act*.

HEN LICENCE

- 3. The purpose of this bylaw is to enable hen keeping as urban agriculture, if the Hen Keeper is the holder of a valid Hen Licence and remains at all times in compliance with the provisions of this bylaw.
- 4. A Hen Licence may be issued only to a natural person aged 18 years or older.
- 5. A Hen Licence may authorize the keeping of not more than 4 Hens on the Subject Property and may be issued subject to such conditions as the Licensing Authority considers appropriate.
- 6. Before a Hen Licence is issued or renewed, the applicant must provide to the satisfaction of the Licensing Authority:

- a. a completed Hen Licence or Hen Licence renewal application, in the form prescribed by the Licensing Authority;
 - b. the Hen Licence fee prescribed in Schedule A to this bylaw; and
 - c. any other information reasonably required by the Licensing Authority, including but not limited to:
 - i. the name, address, and contact information of the person who will be the Hen Keeper and of any person who may act as a Temporary Caregiver;
 - ii. a copy of a Certificate of Title for the Subject Property issued by the Land Titles Office not more than two weeks prior to the date of the application;
 - iii. written permission to keep hens on the Subject Property, from the registered owner of the Subject Property as shown on the Certificate of Title, if the Hen Keeper is not the registered owner;
 - iv. a drawing that shows the location and size of the Coop on the Subject Property, and associated setbacks from the Coop to the side and rear property lines;
 - v. evidence that the proposed Hen Keeper has experience or training in hen keeping; and
 - vi. a copy of the Premises Identification (PID) Number applicable to Subject Property.
7. At the time of application for a Hen Licence, the applicant must demonstrate to the satisfaction of the Licensing Authority that all Adjoining Neighbours have been notified of the intent to apply for a Hen Licence on the Subject Property.
8. A Hen Licence is valid for one year from the date of issuance.
9. A Hen Licence does not take effect until:
- a. the appeal period referenced in Section 15 has expired, if no appeal was received during the appeal period; or
 - b. the Appeal Committee has made a decision on any appeal and that decision upholds the issuance of the Hen Licence, with or without conditions.
10. A Hen Licence is not transferable from one person or property to another.

11. Keeping of hens is a development under the *Land Use Bylaw* but, subject to section 36 of this bylaw, does not require a development permit under the *Land Use Bylaw* if hen keeping complies with and is licensed under this bylaw.
12. The Licensing Authority will notify Adjoining Neighbours when a Hen Licence is issued.
13. The Licensing Authority may refuse to issue or renew a Hen Licence, or may revoke a previously issued Hen Licence, for any of the following reasons:
- a. an applicant for or holder of a Hen Licence does not meet or has ceased to meet the requirements of this bylaw;
 - b. an applicant has submitted false information;
 - c. an applicant for or holder of a Hen Licence has outstanding unpaid fines under this bylaw;
 - d. an applicant has previously been the holder of a Hen Licence that was revoked for non-compliance with this bylaw, or in respect of which an order has been made under section 645 of the *Municipal Government Act*;
 - e. an applicant for or holder of a Hen Licence has been convicted of any offence involving abuse, mistreatment or negligent treatment or keeping of animals; or
 - f. in the opinion of the Licensing Authority, it is in the public interest to refuse to issue a Hen Licence.

APPEAL

14. An appeal lies from a decision of the Licensing Authority to:
- a. issue a Hen Licence, if the appellant is an Adjoining Neighbour;
 - b. impose conditions on a Hen Licence, if the appellant is the person who applied for the Hen Licence or is an Adjoining Neighbour;
 - c. refuse to issue a Hen Licence, if the appellant is the person who applied for the Hen Licence; or
 - d. revoke a Hen Licence, if the appellant is the holder of the Hen Licence that was revoked.

15. An appeal under section 14 must be in writing, addressed to the Office of the Chief Administrative Officer, and must be received in that Office not later than 14 days after the decision appealed from is issued.
16. An Adjoining Neighbour may appeal under clause 14(a) or 14(b) of this bylaw only if the grounds of appeal are:
- a. that the keeping of hens on the Subject Property is likely to have a materially adverse effect on the health of the Adjoining Neighbour or of a person living in the premises of the Adjoining Neighbour; or
 - b. a reason or factor listed in clauses 13(a), (b), (d) or (e) of this bylaw.
17. As soon as reasonably practicable and in any event not more than 14 days after receiving a notice of appeal the Chief Administrative Officer must appoint an Appeal Committee for the purpose of hearing the appeal, and apart from appointing the Appeal Committee and providing it with administrative support the Chief Administrative Officer shall not be involved in the appeal process.
18. The Appeal Committee shall consist of 3 members none of whom is an employee or council member of the City and at least one of whom is either a lawyer with expertise in administrative law or a person with experience acting as a member of an administrative or quasi-judicial tribunal. In the case of an appeal from an Adjoining Neighbour alleging the likelihood of a materially adverse health effect, the Chief Administrative Officer must also make reasonable efforts to appoint to the Appeal Committee a licensed and practicing veterinarian and a licensed and practicing physician.
19. The Appeal Committee shall schedule the hearing of the appeal within 30 days after notice of appeal.
20. Subject to the requirements of this bylaw the Appeal Committee members shall from among themselves choose a Chair and may establish a procedure consistent with principles of natural justice for the hearing of the appeal.
21. The Appeal Committee shall provide its decision in writing, with reasons, within 7 business days of the hearing of the appeal. The Appeal Committee may:
- a. uphold the decision of the Licensing Authority;
 - b. vary the decision of the Licensing Authority, including imposing conditions on a Hen Licence that differ from any conditions imposed by the Licensing Authority; or
 - c. overturn the decision of the Licensing Authority.

22. The decision of the Appeal Committee is final and binding and is not subject to appeal to a Court.

RESPONSIBILITIES OF A HEN KEEPER

23. Hen Keepers must comply with the *Animal Health Act*.

24. Hen Keepers, owners of a Subject Property, and Temporary Caregivers must:

- a. ensure good husbandry practices where each Hen is provided with food, unfrozen water, shelter, adequate light, ventilation, warmth, veterinary care, and opportunities to scratch, peck, dust-bathe, roost, and socialize with their own kind;
- b. provide warmth to the Hens through heat lamps, wall insulation, poly-sheeting, seedling heat mats, or other means;
- c. maintain the Coop in good repair and sanitary conditions, free from vermin and noxious and offensive smells and substances;
- d. construct and maintain the Coop to prevent rodents from being harboured underneath, within, or within the walls of the Coop, and to prevent access to the Coop by any other animal;
- e. keep each Hen in a secured area at all times;
- f. keep each Hen locked in the Coop from sunset on any given day, to sunrise the following day;
- g. ensure that Hens are kept in the Coop with all openings, such as doors and windows, secured in such a manner that will not allow predators to enter;
- h. keep food and water containers in the Coop;
- i. store feed in a fully enclosed, non-penetrable container;
- j. remove leftover feed, trash, and manure, in a timely manner;
- k. follow biosecurity procedures recommended by the Canadian Food Inspection Agency (CFIA);
- l. ensure Hens are slaughtered or euthanized at an appropriate location or facility, not on the Subject Property;

- m. dispose of the carcass of a Hen deceased by natural causes, by double bagging and bringing it to a veterinarian, farm, abattoir, or other operation that is lawfully permitted to dispose of Hens;
- n. take Hens to a veterinarian, farm, abattoir, or other operation if Hens are no longer wanted;
- o. keep Hens for personal use only, and not sell eggs, manure, meat, or any other products derived from Hens; and
- p. keep a Hen in a cage only when actively transporting the Hen.

HEN KEEPING GENERAL REGULATIONS

- 25. Hen keeping is permitted under and in accordance with this bylaw.
- 26. This bylaw applies to the activity of Hen keeping for personal use only. The commercial sale of Hens or Hen products is not permitted.
- 27. This Bylaw enables the keeping of Hens within the confines of a fenced property and does not permit Hens to be sheltered within a residential dwelling unit.
- 28. Each Hen must be a minimum of 4 months (16 weeks) old when acquired for keeping under a Hen Licence.
- 29. This bylaw does not exempt a person from complying with any Federal or Provincial law or regulation, other City bylaw, or any requirement of any lawful permit, order, or licence.

COOP REQUIREMENTS FOR HEN KEEPING

- 30. A Coop is only permitted within a fenced rear yard of a residential property.
- 31. A Coop must be located at grade level, but not over a utility right-of-way.
- 32. A minimum Coop floor area of 0.37 sq. m. (4 sq. ft.) per Hen is required.
- 33. A Coop must contain a minimum of 1 Nest Box for every 1 or 2 hens.
- 34. The setbacks of a Coop from property lines and/or other structures within the same property must comply with the minimum requirements outlined in the *Land Use Bylaw* for an accessory building.
- 35. The maximum lot coverage of all structures on a property, including a Coop, must comply with the *Land Use Bylaw*.

36. A development permit is required for a Coop if the floor area and/or height of the Coop does not comply with the requirements of the *Land Use Bylaw* for an Accessory Building. A separate owner authorization form for the development permit is required, if a development permit is required.
37. The Licensing Authority has the authority to impose additional site-specific conditions.

ENFORCEMENT

Offence

38. The Licensing Authority or a Peace Officer may enter upon any Subject Property to inspect for compliance with this bylaw.
39. Should a hen keeping site, Coop, or Hen Keeper be found to be non-compliant with this Bylaw at any time, enforcement action may be taken including without limitation: issuing a Municipal Violation Tag or Violation Ticket, revocation of a Hen Licence or issuance of a Stop Order under Section 645 of the *Municipal Government Act*.
40. Should Hens and/or a Coop be ordered to be removed, all costs and associated expenditures related to the removal shall be the responsibility of the property owner.
41. A person who contravenes any provision of this Bylaw is guilty of an offence.

Continuing Offence

42. In the case of an offence that is of a continuing nature, a contravention of a provision of this bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues. A person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

Fines and Penalties

43. A Person who is guilty of an offence under this Bylaw is liable to a specified penalty of \$250.00.

Municipal Violation Tag

44. A Peace Officer may issue, with respect to an offence under this Bylaw, a Municipal Violation Tag specifying the fine amount established by this Bylaw.

45. Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid within the time limited on the Tag for payment, and if paid in full and on time no prosecution will be initiated.

Violation Ticket

46. A Peace Officer may issue, with respect to an offence under this bylaw, a Violation Ticket specifying the fine amount established by this bylaw.
47. Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed on the Violation Ticket.

SEVERABILITY

48. Should any provision of this bylaw be declared invalid by a court, the remainder of this bylaw shall continue in full force and effect.

EFFECTIVE DATE

49. This bylaw comes into effect when it is passed.

READ a First time this ____ day of _____ 2018

READ a Second time this ____ day of _____ 2018

READ a Third time this ____ day of _____ 2018

SIGNED AND PASSED this ____ day of _____ 2018

MAYOR

CHIEF LEGISLATIVE OFFICER

SCHEDULE A – FEES

Fee Description	Fee
Hen Licence Fee	
Hen Licences are valid for one (1) year following the date of issuance.	\$40.00

PREVIOUSLY DISTRIBUTED

CITY OF ST. ALBERT

BYLAW 36/2018

Being Amendment 1 to the Animal Control Bylaw 11/2013

The City of St. Albert, in council assembled, ENACTS AS FOLLOWS:

1. Bylaw 11/2013, the Animal Control Bylaw is amended by this Bylaw.
2. Section 20 is deleted and the following is substituted in its place:

“20. No person shall keep or harbor any animal defined as “livestock” in the *Land Use Bylaw* unless the person holds a development permit that authorizes such activities, provided however that a person who holds a valid and subsisting Hen Licence issued under the *Hen Bylaw* is permitted to keep hens in accordance with the conditions of the Hen Licence and the provisions of the *Hen Bylaw*.”
3. The Chief Administrative Officer is authorized to consolidate Bylaw 11/2013.

EFFECTIVE DATE

4. This bylaw comes into effect when it is passed.

READ a First time this ____ day of _____ 20____.

READ a Second time this ____ day of _____ 20____.

READ a Third time this ____ day of _____ 20____.

SIGNED AND PASSED this ____ day of _____ 20____.

MAYOR

CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 37/2018

LAND USE BYLAW AMENDMENT

Being Amendment 163 to the Land Use Bylaw 9/2005

The City of St. Albert, in council assembled, ENACTS AS FOLLOWS:

1. Bylaw 9/2005, the Land Use Bylaw, is amended by this Bylaw.
2. Part 1, Section 1.6 Definitions, is amended by adding the following in alphabetical order of the section:

“Hen Coop” means an accessory building used for hen keeping.
3. Part 1, Section 1.6 Definitions, is amended by deleting the definition of “livestock” and substituting in its place the following:

“**livestock**” includes horses, cattle, pigs, sheep, goats, llamas, ostriches, bison, roosters, turkeys, ducks, geese, pigeons, foxes, mink, rabbits, skunks, and all other animals, fowl, and birds whether of a domestic nature or wild, but does not include dogs, cats or other domesticated household pets ordinarily kept within the confines of a dwelling house, and does not include hens that are kept pursuant to a valid and subsisting Hen Licence issued under the *Hen Bylaw*,”
4. Part 3, Section 3.2 Development not Requiring a Development Permit, is amended by deleting subsection (m) and substituting in its place the following:

“(m) in a residential district, construction of a garden shed, playhouse, or Hen Coop, less than 10 sq. m. in floor area if the development complies with this Bylaw.”
5. Part 3, Section 3.2 Development not Requiring a Development Permit, is amended by adding the following new subsection (z):

“(z) the keeping of hens pursuant to a valid and subsisting Hen License issued under the *Hen Bylaw*.”

6. The Chief Administrative Officer is authorized to consolidate Bylaw 9/2005.

EFFECTIVE DATE

7. This bylaw comes into effect when it is passed.

READ a First time this ____ day of _____ 20____.

READ a Second time this ____ day of _____ 20____.

READ a Third time this ____ day of _____ 20____.

SIGNED AND PASSED this ____ day of _____ 20____.

MAYOR

CHIEF LEGISLATIVE OFFICER