



**BYLAW NO. 2022-07
OF THE
VILLAGE OF MYRNAM**

**A BYLAW IN THE VILLAGE OF MYRNAM, IN THE PROVINCE OF ALBERTA, TO
REGULATE THE KEEPING OF URBAN HENS IN URBAN AREAS WITHIN THE
VILLAGE OF MYRNAM.**

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

AND WHEREAS, pursuant to the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 and amendments thereto {the "Act"} a council of municipality may in a bylaw, regulate, or prohibit and to provide for a system of licenses, permits and approvals;

AND WHEREAS, Council deems it necessary to assess the viability of keeping Urban Hens within the Village;

NOW THEREFORE, the Council of the Village of Myrnam, in the Province of Alberta, enacts as follows:

1.0 TITLE

1.1 This bylaw may be called 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 of the Village of Myrnam or designate.
- (d) "Council" means the Council of the Village of Myrnam.

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- (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 Urban Hens at night and includes a secure place for Urban Hens to lay eggs and eat.
- (h) “Licensee” means a Person named on an Urban Hen License.
- (i) “Municipal Enforcement Officer/Community Peace Officer/Animal Control Officer” means a Person as appointed by the Village of Myrnam by resolution of Council.
- (j) “Municipal Tag” means a document alleging an offence issued pursuant to the authority of a Bylaw of the Village.
- (k) “Outdoor Enclosure” (urban 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.
- (l) “Owner” includes any one or more Persons who:
 - i. Is named on an Urban Hen License; or
 - ii. A person who owns or claims any proprietary interest in an Urban Hen; or
 - iii. Has the care, charge, custody, possession, or control of the Urban Hen, either temporarily or permanently; or
 - iv. Harbors an Urban Hen, or allows an Urban Hen to remain, on his/her property
- (m) “Owner's Property” means any premises which are owned or leased by the Owner.
- (n) “Premises” means any dwelling, building, and any parcel or lot of real property or a portion thereof.
- (o) “Rooster” means a domesticated male chicken.
- (p) “Running at Large” means an Urban Hen being outside of a coop or run.

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- q) “Village” means the municipal corporation of the Village of Myrnam, or the area contained within the boundary thereof, as the context requires, means the area of land within the corporate boundaries.
- r) “Village Office” means the Chief Administrative Officer, or any other staff member authorized to carry out their duties.
- s) “Urban Hen” means a hen that is at least 16 weeks of age.
- t) “Urban Hen License” means a license issued by the Village of Myrnam pursuant to the Urban Hen Bylaw, which authorizes the License holder to keep Urban Hens on specific property within the Village of Myrnam.
- u) “Violation Ticket” has the same meaning as the *Provincial Offences Procedure Act*.
- v) “Urban Area” means land located within the Village of Myrnam legal boundaries.

3.0 PURPOSE

- 3.1 The purpose of this bylaw is to regulate and control the keeping of Urban Hens within the urban areas of the Village of Myrnam.

4.0 REGULATIONS

- 4.1 A person may apply to keep no more than five (5) Urban Hens on a single property.
- 4.2 The owner must be 18 years of age or older.
- 4.3 Urban Hens kept on the property are for personal use only.
- 4.4 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 Village of Myrnam;
- 4.5 A tenant must obtain written permission from the registered property Owner to keep Urban Hens on the owner's property.
- 4.6 Any Owner of Urban Hens must provide daily care to Urban Hens.

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5.0 URBAN HEN COOP AND RUN REQUIREMENTS

- 5.1 No parcel shall have more than one Coop.
- 5.2 Every building (coop) or enclosure used to accommodate Urban Hens must be:
- (a) located in the rear yard of the lot behind the dwelling;
 - (b) a minimum of 3.0 metres (9.8 ft) from the principle dwelling;
 - (c) a minimum of 1.0 metre (3.3. ft) from any property line;
 - (d) a maximum of 10 sq. metres (107.6 sq. ft) in size;
 - (e) a maximum of 2.5 metres (8 ft) in height;
- 5.3 The Owner shall ensure Urban Hen coops, Urban Hen houses, and Urban 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 obnoxious odors, or noise.
- 5.4 The Owner must ensure the coop and outdoor enclosure are secure at all times.
- 5.5 Hen Tractors may be used to move urban hens to new areas for foraging during daylight hours.

6.0 RESPONSIBILITIES OF HEN OWNERS

- 6.1 The Owner of an Urban Hen(s) shall:
- a) ensure the rear yard is securely fenced;
 - b) ensure that the Urban Hen is not running-at-large;
 - c) ensure feed is stored within a fully enclosed container and in such a way as to discourage predators;
 - d) ensure manure is stored in an enclosed container and disposed of, as per health regulations;
 - e) keep a food container and water container in the Coop;
 - f) remove leftover feed, trash, and manure within 48 hours;
 - g) not keep an Urban Hen in a cage, kennel, or any other form of shelter other than a Coop or approved Tractor;
 - h) not slaughter an Urban Hen on the property;
 - i) dispose a deceased Urban Hen by delivering it to a farm, Abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Urban Hens;
 - l) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak;

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7.0 LICENSING

- 7.1 A person may not keep an Urban Hen unless that person first submits a completed Urban Hen Registration Application to the Village and receives validation of registration from the Village.
- 7.2 The Village may not validate an Urban Hen registration application form unless the following has been satisfied:
- (a) The initial permit has been reviewed by the planning and development department to ensure compliance with the required regulations and guidelines, of which the applicant of the Urban Hen registration application form will be contacted within 10 days upon reception of the completed application;
 - (b) the applicant is the owner of the property and resides on the property on which the Urban Hens will be kept, or the applicant resides on the lot and has written consent from the registered owner of the property to allow Urban Hens to be kept on the property;
 - (c) the applicant has a valid Alberta Poultry Premises Identification (PID) number obtained from Alberta Agriculture and Forestry, and a copy is provided to the Village;
 - (d) all other required information on the Village's Urban Hen License application form has been provided including payment.
- 7.3 A person may apply to keep Urban Hens by:
- (a) Applying for an annual Urban Hen License from the Village Office during regular business hours: and
 - (b) Paying an annual \$10.00 Urban Hen License fee, which is due and payable prior to January 31 of each subsequent year.
- 7.4 Urban Hen Licenses fees shall not be reduced or prorated regardless of the month of purchase.
- 7.5 Urban Hen License fees that have been paid shall not be refunded or rebated.

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- 7.6 Upon payment of the Urban Hen License fee by the owner, the Village Office shall issue to the Owner a certificate of licensing.
- 7.7 A validated Urban Hen License is not transferable from one person to another or from one property to another.
- 7.8 A person to whom an Urban Hen License has been issued shall produce the license at the demand of the Chief Administrative Officer or Animal Control Officer.

8.0 PENALTIES

- 8.1 A person who contravenes any provision of this bylaw is guilty of an offence.
- 8.2 No person shall willfully obstruct, hinder, or interfere with an Animal Control Officer or any other person authorized to enforce and engage in the enforcement of the provisions of this Bylaw.
- 8.3 A person who is guilty of a first offense is liable to a fine of fifty (\$50.00) dollars.
- 8.4 A person who is guilty of a second offense is liable to a fine of one hundred (\$100.00) dollars.
- 8.5 Where a person has been found to have contravened the Bylaw two (2) or more times within one twelve (12) month period, the Village reserves the right to revoke the Urban Hen License.

9.0 GENERAL

- 9.1 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.
- 9.2 Council shall review this bylaw before then end of the 2023 calendar year.

10.0 EFFECTIVE DATE

10.1 This Bylaw shall come into force and take effect upon third and final reading.

That Bylaw No. 2022-07 be given a first reading this ____ day of ____ 2022.

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That Bylaw No. 2022-07 be given a second reading this ____ day of ____ 2022.

That Bylaw No. 2022-07 be given third and final reading and passed this ____ day of ____ 2022.

VILLAGE OF MYRNAM

DONNA RUDOLF, MAYOR

ELSIE KIZIAK, CAO