

TOWN OF PENHOLD
BYLAW NO. 807/2022

COMMUNITY STANDARDS AMENDMENT BYLAW
TO INCLUDE URBAN CHICKENS

Being a Bylaw of the Town of Penhold, in the Province of Alberta, pursuant to provisions of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, to provide for the amendment of Community Standards Bylaw 799/2021.

WHEREAS it is desirable for regulations which influence neighbourhood liveability to be located, as much as possible, in one bylaw; notwithstanding, Council has adopted various specific bylaws establishing community living standards,

WHEREAS community standards are intended to be reviewed regularly and amended as Council deems appropriate. Council's desire is to influence respect for each other as neighbours and balance enforcement with the liveability of neighbours and neighbourhoods.

AND WHEREAS the Council of the Town of Penhold, in the province of Alberta, duly assembled, enacts as follows:

That the Community Standards Bylaw 799/2021 be amended to change the wording as follows:

Numeric order corresponding with any amendments herein.

Page 2 (amendment/add to definitions)

"Coop" means a fully enclosed outdoor weather proof structure, under 6 feet in height, used for the keeping of Urban Chickens (**General Guidelines, Appendix I**).

Page 3 (amendment/deletion to wording/add to definitions)

"License" means a Dog, Cat, or Urban Hen License issued by the Town to the Owner of a Dog, a Cat, or Urban Hen

Page 4 (amendment/deletion to wording/add to definitions)

"Owner" or "Owners" in respect to a Hen means:

- a. A Person, partnership, association or corporation owning, possessing or having control over a Hen ;
- b. A Person permitting any Hen to remain about his/her house of Premises;

- c. A Person whom an Urban Hen License has been issued; or a Person who collects or assumes responsibility for a Hen that has been seized pursuant to the provisions of this Bylaw. (Appendix

Page 5 (amendment/add to definitions)

“Rooster” means a domesticated male chicken; Roosters are NOT permitted in The Town.

Page 6 (amendment/add to definitions)

“Urban area” means lands, located within the Town on which agricultural operations, including but not limited to the keeping of livestock, are neither a permitted nor a discretionary use under Bylaws of the Town.

“Urban Hen” means a female chicken.

“Urban Hen License” means a license issued pursuant to this Bylaw which authorizes the holder to keep urban hens on specific property, zoned R1, R2, and R4, within the Town.

Page 17 (insert before Penalties)

SECTION 18: RESPONSIBLE OWNERSHIP OF CHICKENS

Keeping of Chickens

18.1 No person in an urban area shall keep:

- a) a Rooster;
- b) a hen, other than an Urban Hen for which a valid Chicken License has been issued;
or
- c) more than four (4) Urban Hens.

18.2 A person may keep up to four (4) Urban Hens upon:

- a) approval of an Urban Hen License application; and
- b) payment of an annual Urban Hen License fee as set out in the Town of Penhold Rate Bylaw.

18.3 An Urban Hen License may be issued or renewed if the Town is satisfied that all outlined requirements within **Schedule A: Urban Hen Permit/License Application Process** are complete, including but not limited to:

- a) the applicant is the owner of the property on which the Urban Hens will be kept; or that the owner of the property has provided written consent to the applicant;
- b) the land use designation of the property on which the Urban Hens will be kept allows the placement of a Coop for the keeping of Urban Hens;
- c) the applicant resides on the property on which the Urban Hens will be kept;
- d) all required information has been provided;

- e) the applicant has taken a course on the safe handling of hens and eggs, prior to issuance of a license;
 - f) the applicant has registered with Alberta's Premises Identification Program (PID);
 - g) the applicant has complied with all other Provincial and Federal Regulations for the keeping of chickens;
 - h) the application has completed the Urban Chicken Neighbour Acknowledgement Form (**Appendix II**); and
 - i) the applicable license fee has been paid.
- 18.4 The maximum number of Urban Hen Licenses that may be issued in the Town of Penhold shall be twenty-five (25).
- 18.5 An Urban Hen License is valid for the period of January 1 to December 31 of the year in which it is issued and must be renewed annually prior to February 28 of each subsequent year (**Appendix III**):
- a) Urban Hen License fees shall not be reduced or prorated no matter the month of purchase;
 - b) Urban Hen License fees shall not be refunded or rebated
- 18.6 An Urban Hen License is not transferable from one person to another.
- 18.7 An Urban Hen License is not transferable from one property to another except;
- a) when a license holder has moved to a new property within the Town, then:
 - i. the license holder may apply to transfer the license; and
 - ii. an inspection of the new property must be carried out to determine the license holder is still able to meet all requirements for an Urban Hen License at such a property.
- 18.8 A person to whom an urban hen license has been issued shall produce the license upon the demand of a Peace Officer.
- 18.9 An Urban Hen License may be revoked or may not be renewed by the Town if:
- a) the applicant or license holder does not meet or no longer meets the requirements for an Urban Hen License as set out in this Bylaw;
 - b) the applicant or license holder furnishes false information or misrepresents any Bylaw, fact or circumstance required pursuant to this Bylaw;
 - c) the applicant or license holder has, in the opinion of the CAO or designate, based on reasonable grounds, contravened any part of this Bylaw whether or not the contravention has been prosecuted;
 - d) the applicant or license holder fails to pay a fine imposed by a court for a contravention of this Bylaw or any other applicable Bylaw related to the keeping of animals/livestock;



- e) the applicant or license holder fails to pay any fee required by this Bylaw;
- f) the applicant fails to comply with any applicable Provincial and Federal Regulations for the keeping of chickens; or
- g) in the opinion of the Town based on reasonable grounds, it is in the public interest to do so.

18.10 In the case of a refusal or revocation of an Urban Hen License, the applicant will be given the reasons, in writing, within ten (10) days of the refusal. The revocation or refusal may be appealed pursuant to the provisions of this Bylaw.

Responsibilities of Owners Keeping of Urban Hens

18.11 A person who keeps Urban Hens must:

- a) ensure that Coop size does not exceed 100 sq. ft.;
- b) provide each Urban Hen with food, water, shelter, light, ventilation, care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the urban hen in good health;
- c) maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
- d) construct and maintain the Coop to prevent any rodent from harbouring underneath, within, or within its walls, and to prevent entrance by any other animal;
- e) keep a food container and water container in the Coop;
- f) keep the Coop and pen secured at all times;
- g) remove leftover feed, trash, and manure in a timely manner;
- h) store feed within a fully enclosed container;
- i) store manure within a fully enclosed container, and store no more than 85 litres (3 cubic feet) of manure at any time;
- j) remove all other manure not used for composting or fertilizing and dispose of such in accordance with Town Bylaws
- k) follow biosecurity procedures outlined by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
- l) keep Urban Hens for personal use only.

18.12 No person who keeps Urban Hens shall:

- a) sell eggs, manure, meat, or other products derived from an Urban Hen;
- b) slaughter any Urban Hen on the property;
- c) dispose of an Urban Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of such; and
- d) keep an Urban Hen in a cage, kennel, or any other form of shelter other than a Coop.

Page 19: (renumber and add Section 19: Penalties)

Page 20: (renumber and add Section 20: Severability and Transition)

Pages 21-22 (amendment/add)

Rooster on premises	18.1 a.	125.00	250.00	1,000.00
Unlicensed Hens on premises	18.1 b.	125.00	250.00	1,000.00
Keeping more than 4 Hens	18.1 c.	125.00	250.00	1,000.00
Fail to obtain an Urban Hen License	18.2 a.	125.00	250.00	1,000.00
Fail to purchase an annual Urban hen License	18.2 b.	125.00	250.00	1,000.00
Fail to produce a valid Urban Hen License	18.8	125.00	250.00	1,000.00
Fail to follow regulations for Keeping of Urban Hens	18.11 & 18.12 d.	125.00	250.00	1,000.00
Sale of products derived from an Urban Hen	18.12 a.	125.00	250.00	1,000.00
Slaughter Urban Hen on property	18.12 b.	300.00	500.00	1,000.00
Fail of proper disposal of a deceased Hen	18.12 c.	300.00	500.00	1,000.00

Read a first time this 10th day of January, 2022.

Read a second time this 28th day of February, 2022.

Read a third and final time; and passed this 28th day of February, 2022.



A handwritten signature in black ink, appearing to be 'M. ...', written over a horizontal line. To the right of the signature is a faint circular official seal.

Mayor



A handwritten signature in black ink, appearing to be 'R. ...', written over a horizontal line.

Chief Administrative Officer



Town of Penhold

POLICY TITLE: Urban Hen Permit/License Application Process

POLICY #: 1.7

EFFECTIVE DATE: February 28, 2022

ADOPTED BY COUNCIL ON: February 28, 2022

Policy Statement:

This procedure provides the process for the issuance of an Urban Hen Permit and Urban Hen Licenses for the Town of Penhold. This procedure establishes authority, procedure, timelines, and provides direction and consistency for all staff and permit applicants associated with the issuance and application of Urban Hen Permits and Urban Hen Licenses.

ACTION STEPS

Things to Know Before You Apply

- The intention of the program is to support urban hen keeping in the Town of Penhold as a hobby and non-commercial activity. Licensed urban hen keepers cannot sell hens or any products, produced by one's hen(s) as they are for personal use only.
- It is in your best interest not to invest in chickens, equipment, etc. until you obtain your permit.
- An application is not a guarantee that you will obtain a permit but instead is a request for a permit.
- The Town of Penhold has the discretion and authority to deny a request for a Permit due to documentation of medical concerns from neighbouring properties and/or any other concerns.
- **There is a cap of no more than twenty-five (25) urban hen sites within the Town of Penhold:**
 - A maximum of four (4) urban hens per site;
 - Roosters are **not** permitted;
 - A maximum size of one hundred (100) sq ft and 1.8 metres in height;
 - Outdoor enclosure must be a minimum of eight (8) to ten (10) sq. ft.;
 - There will be no relaxations permitted.
- The Town of Penhold has the discretion and authority to revoke and/or not renew an urban hen license.
- Residential areas permissible to house urban hens include R1, R2, and R4 zoning.

Step 1: Reviewing Town of Penhold Bylaws:

- It is important to understand the commitment and responsibilities required to become a successful and safe urban hen keeper. These documents will ensure applicants understand the expectations that the Town of Penhold has for urban hen keepers.
 - Review Community Standards Bylaw Amendment 807/2022

Step 2: Urban Hen Keeping Course:

- Complete any one of the below urban hens keeping courses:
- *Alberta Farm Animal Care (AFAC), Backyard Chicken and Small Flock Care Workshop or email AFAC for further information*
- *River City Chickens (or University of Alberta Botanic Garden), Chickens 101*
 - This is important as it allows applicants to learn and understand how to properly provide and care for their urban hens.
 - The certificate or documentation obtained from the completed course is required to be presented throughout the application process. Without which the applicant will not be approved for a permit.

Step 3: Alberta's Premises Identification Program (PID)

- Register with Alberta's Premises Identification Program (PID).
 - As part of the Animal Health Act, owners of hens must register with the Animal Premise Identification Program <https://www.alberta.ca/register-with-the-animal-premises-identificationprogram.aspx> and obtain a premise identification number for the urban hens.
 - This requirement is a part of a traceability system designed to address potential threats of disease outbreaks that could affect animal health, public health, and food safety.

Step 4: Obtaining your Development Permit:

- An electrical permit may be required for the construction of your chicken coop. Under the Alberta Safety Codes Act and Permit Regulations, and to ensure proper set up of your urban hen coop and safety of urban hens, an Electrical Permit is required to install, alter, or add to an electrical system.
 - This applies to the installation of a heat lamp, light fixture, or any other type of electrical components in an urban hen coop.
 - If an applicant plans to install electrical fixtures in the coop, please apply for an electrical permit through **IJD Inspections Ltd.**
- Applicants will be required to submit the following:
 - Site plan showing the dimension of the rear/side yard of the proposed property location and the dimensions of the hen coop and run (example: Appendix I);
 - Certificate obtained from urban hen keeping course;
 - Provincial Premise Identification (PID) number from the Province of Alberta;
 - The number of urban hens (maximum of four (4));

- Owner authorization if property is not owned by applicant;
- Once the application has been received, including the Urban Chicken Neighbour Acknowledgement document (Appendix II), it will be provided to the Business License Officer, as a Request for Decision (RFD), for approval.

Step 5: Obtaining your Urban Hen License:

- Once you have received an approved Permit you are ready to license your Urban Hen(s) (Appendix III).
- Applicants are required to show their approved Permit to the Town of Penhold before a license will be issued.
 - Urban Hen Keepers are required to pay an annual urban hen license fee of \$70.00. This is a flat rate fee regardless of number of urban hens.
 - Urban hen licenses are valid for the period of January 1 – December 31 of the year in which it has been issued.
 - Urban hen licenses must be renewed annually prior to February 28th of each subsequent year.
 - Urban hen license fees will not be reduced, prorated, or refunded no matter the month of purchase.
 - Urban hen license holders must produce the license upon request of a Peace Officer.

Once the applicant has paid for the urban hen license fee, a certificate will be given to the applicant and they can begin to enjoy being an urban hen keeper.





Town of Penhold Urban Chicken Neighbour Acknowledgement Form

As outlined in the Urban Hen Permit/License Application Process, a person wishing to get an Urban Hen license must inform their neighbours on each side of their residence.

By informing your neighbours and having them complete this form, you are compliant with the process to acquire an Urban Chicken license.

Resident interesting in obtaining an Urban Chicken License:

Name: _____

Street Address: _____, Penhold

Mailing Address: _____ Postal Code: _____

Email Address: _____

Phone Number: _____ Cell Number: _____



I, _____ a neighbour of _____

_____ and residing at _____

Penhold, have been advised of _____ wish to have Urban Chickens.

Date Signature

I, _____ a neighbour of _____

_____ and residing at _____

Penhold, have been advised of _____ wish to have Urban Chickens.

Date Signature



2022 URBAN HEN LICENSE

In accordance with:

CSB Amendment Bylaw 807/2022

This is to certify that:

Name of Applicant

Has this day been approved for Urban Hen Keeping at
"Applicant's physical address" of the Town of Penhold
Urban Hen Keeping License # "0000"
until 12/31/2022

unless the license be sooner suspended or forfeited, and this license is issued to the said applicant and held by the Town of Penhold subject to any and all Bylaws, rules and regulations that are now or hereinafter may be in force. This license is non-transferrable to any persons and/or property.

License Officer

A handwritten signature in black ink, appearing to be the initials "M" over "L", located in the bottom right corner of the page.