

BYLAW NO. 393
OF THE VILLAGE OF SPRING LAKE

BEING A BYLAW OF THE VILLAGE OF SPRING LAKE IN THE PROVINCE OF ALBERTA
FOR THE PURPOSE OF REGULATING THE KEEPING OF BEES IN URBAN AREAS.

WHEREAS, pursuant to Section 7(a) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting the safety, health, and welfare of people and the protection of people and property; AND

WHEREAS, pursuant to Section 7(h) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them; AND

WHEREAS, pursuant to Section 7(i) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment including any or all of the matters listed therein; AND

WHEREAS, pursuant to Section 8 of the Municipal Government Act, a council may by bylaw regulate, prohibit, or provide for a system of licences, permits, or approval including any or all of the matters listed therein.

The Council of the Village of Spring Lake, duly assembled, hereby ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be referred to as the "Urban Beekeeping Bylaw".

DEFINITIONS

2. In this Bylaw,
 - (a) "Adjoining Neighbours" means a site that is contiguous to another site 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;
 - (b) "Animal Health Act" means the Animal Health Act, SA 2007, C A-40.2, and any amending or succeeding legislation, and associated regulations;
 - (c) "Bee" means the insect *Apis mellifera* L., also known as honey bees;
 - (d) "Bee Act" means the Bee Act, RSA 2000, c B-2, and any amending or succeeding legislation, and associated regulations;
 - (e) "Beekeeper" means a person who owns and possesses Bees or beekeeping equipment or both;
 - (f) "Bylaw" means a bylaw of the Village of Spring Lake, and includes amendments thereto;
 - (g) "Bylaw Enforcement Officer" means an individual appointed as such in accordance with the Community Peace Officer Bylaw No. 386;
 - (h) "Chief Administrative Officer" or "CAO" means the individual appointed by Council to the position of Chief Administrative Officer under section 205 of the Municipal Government Act and pursuant to the Chief Administrative Officer Bylaw No. 378;

- (i) "Council" means the Mayor and other members of the Council of the Village of Spring Lake as duly elected from time to time pursuant to the provisions contained in the Local Authorities Election Act;
- (j) "Hive" means beehive equipment inhabited by live Bees;
- (k) "Licensing Authority" means the CAO or an individual appointed by the CAO to issue Urban Beekeeping Licences;
- (l) "Pedestrian Walkway" means a path, trail or sidewalk for pedestrian circulation that cannot be used for motorized vehicular use;
- (m) "Provincial Apiculturist" means the individual designated as the Provincial Apiculturist in accordance with the Bee Act;
- (n) "Super" means a Bee Hive box which holds frames used for brood rearing or storing honey;
- (o) "Urban Beekeeping Licence" means a licence issued pursuant to the Urban Beekeeping Bylaw; and
- (p) "Violation Ticket" is as defined in the Provincial Offences Procedure Act and any amending or succeeding legislation.
- (q) "Municipal Violation Tag" means a Village-issued notice that alleges a Bylaw offence and provides a person with the opportunity to pay an amount to the Village in lieu of prosecution for the offence;
- (r) "Peace Officer" is as defined in the Provincial Offences Procedure Act, RSA 2000, c P-34, and any amending or succeeding legislation; and
- (s) "Village" means the Village of Spring Lake, a municipal corporation of the Province of Alberta, and includes, where the context so requires, the area contained within the boundaries of the Village of Spring Lake;

INTERPRETATION

- 3. The headings in this bylaw are for reference only.

REQUIREMENT FOR LICENCE

- 4. This Bylaw enables beekeeping as urban agriculture and no person shall own or keep Bees unless properly licensed in accordance with this Bylaw.
- 5. An Urban Beekeeping Licence may not be issued to an individual under the age of eighteen (18) years.

URBAN BEEKEEPING LICENCE APPLICATION AND INFORMATION

- 6. Before the issuance or renewal of a licence pursuant to this part, the owner of the Hive must submit to the Licensing Authority:
 - (a) completed Urban Beekeeping Licence application form;
 - (b) the appropriate licence fee prescribed in Schedule A; and
 - (c) any other additional information required by the Licensing Authority, including, but not limited to:
 - i. the name, address, and contact information of the Beekeeper;
 - ii. written permission from the registered property owner to install Hives on the property, where the Beekeeper is not the registered property owner;
 - iii. written permission from the authorized property leaseholder or licence holder to install Hives on property, where the Beekeeper is not the authorized leaseholder or licence holder of the property;

- iv. 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;
 - v. proof of success in urban beekeeping training from an accepted organization or association;
 - vi. proof of support and assistance from a qualified mentor for the first year of beekeeping;
 - vii. a disease and swarm control plan;
 - viii. proof of registration with the Provincial Apiculturist every year by June 30; and
 - ix. a copy of the premises identification number pursuant to the Animal Health Act.
- 7. Notwithstanding Section 6, at the time of initial application for an Urban Beekeeping 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 Beekeeping Licence on the Subject Property. If an adjoining property of the Subject Property is undeveloped or developed but otherwise vacant, the applicant is not required to notify that adjoining property.
- 8. An Urban Beekeeping Licence is required for each property that has a Hive.
- 9. Urban Beekeeping Licences are valid for one (1) year following the date of issuance.
- 10. No person shall give false information when applying for an Urban Beekeeping Licence pursuant to this Urban Beekeeping Bylaw.
- 11. The Licensing Authority may refuse to issue an Urban Beekeeping Licence or may revoke an Urban Beekeeping Licence by providing written notice to the applicant or licensee.

LICENCE TRANSFERS

- 12. Urban Beekeeping Licences issued under this Bylaw shall not be transferable from one person or property to another.

RESPONSIBILITIES OF THE URBAN BEEKEEPER

- 13. Beekeepers must comply with the Bee Act and the Animal Health Act.
- 14. Beekeepers, or the owner of any parcel of land on which the Bees are kept, must ensure:
 - (a) good husbandry practices and maintenance to prevent swarming, aggressive behaviour, and disease; and
 - (b) that adequate water is provided at all times for the Bees to deter the Bees from seeking water from alternate sources.

URBAN BEEKEEPING GENERAL REGULATIONS

- 15. Beekeeping in parks, reserve land, or on open spaces occupied, managed, or owned by the Village is not permitted under this Bylaw.
- 16. This Bylaw applies to the activity of beekeeping for personal use only.
- 17. This Bylaw does not relieve a person from complying with any Federal or Provincial law or regulation, other Village Bylaw, or any requirement of any lawful permit, order or licence.

HIVE REQUIREMENTS FOR URBAN BEEKEEPING

18. A Hive must 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.).
19. Hives are restricted to the rear yard of a property
20. Hive entrances are to be directed away from adjoining properties.
21. Hives are to be located:
 - (a) a minimum of three (3) metres (10 feet) from all property lines; or
 - (b) within a rear yard enclosed by a solid fence or hedge a minimum of 1.8 metres (6 feet) in height.
22. Hives on properties located adjacent to Pedestrian Walkways must be located a minimum of three (3) metres (10 feet) from the property line adjacent to the Pedestrian Walkway and within a rear yard enclosed by a solid fence or hedge a minimum of 1.8 metres (6 feet) in height.
23. A maximum of two (2) Hives are permitted on one (1) parcel of residential land.

ENFORCEMENT

24. At any reasonable time, the Licensing Authority or a Peace Officer may enter upon any property in order to ascertain whether or not the provisions of this Bylaw are being observed.
25. Should a beekeeping site, Hive, or Beekeeper be found to be non-compliant with this Bylaw at any time, the Urban Beekeeping Licence may be revoked. Should Hive(s) and Bees need to be relocated, all costs and associated expenditures related to the removal shall be the responsibility of the property owner.
26. A person who contravenes any provision of this Bylaw is guilty of an offence.
27. 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.
28. A Person who is guilty of an offence under this Bylaw is liable:
 - (a) to a fine of \$250.00; or
 - (b) on summary conviction, to a fine not exceeding \$10,000.00 or to an order of imprisonment for not more than 1 year, or both.
29. 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.
30. Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.
31. A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
 - (a) specifying the fine amount established by this Bylaw; or

(b) requiring an appearance in court without the option of making a voluntary payment.

32. Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

SEVERABILITY

33. In the event that any provision of this Bylaw is found to be contrary to law by any Court of competent jurisdiction then that provision shall be severed, and the remainder of the Bylaw shall be of full force and effect.

CERTIFIED COPY OF RECORD

34. A copy of a record of the Village, certified by the CAO as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

Read a first time this 12th day of October, 2021.

Read a second time this day 8th day of March, 2022.

Read a third and final time this 8th day of March, 2022.



Mayor



Chief Administrative Officer

SCHEDULE OF FEES

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