



A BYLAW OF THE VILLAGE OF CLYDE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION AND CONTROL OF CHICKENS AND OTHER UNIQUE PETS

WHEREAS, Pursuant to Section 7 of the Municipal Government Act, R.S.A. 2000, c. M-26, a Council may pass a bylaw for municipal purposes respecting wild and domestic animals and activities in relation to them; and

WHEREAS, the Council of the Village of Clyde now deems it necessary and expedient to establish regulations in relation to the keeping of chickens and other unique pets within the limits of the Village.

NOW THEREFORE, the Council of the Village of Clyde, duly assembled, hereby enacts as follows:

1) SHORT TITLE

- a) This Bylaw will be cited as the "Urban Chickens and Other Unique Pets Bylaw".

2) DEFINITIONS AND INTERPRETATION

- a) In this Bylaw:

- i) **Adjacent Neighbour** means land that is contiguous to a particular parcel of land, including land that would be contiguous if not for highway, road, river, or stream.
- ii) **Animal Health Act** means the Animal Health Act, S.A. 2007, c. A-40.2, including regulation under that statute.
- iii) **Chief Administrative Officer (CAO)** means the person appointed by Village Council as its Chief Administrative Officer or that person's designate.
- iv) **Coop** means a fully enclosed, weatherproof structure used for the keep of Chickens or Waterfowl that is no larger than 100 square feet in floor area, and no more than 6 feet in height.
- v) **Council** means the Mayor and Councilors of the Village of Clyde for the time being elected.
- vi) **Chickens**, means female chickens.
- vii) **Chicken Keeper** means a person having any right of custody, control, or possession of a chicken(s).
- viii) **Chickens and Other Unique Pet License** means a license issued under this bylaw which authorizes the keeping of chickens and other unique pets within Village limits.
- ix) **Licensing Authority** means the Chief Administrative Officer, or a person appointed by the Chief Administrative Officer to issue Chickens and Other Unique Pets licenses.
- x) **Municipal Tag** means a specified penalty issued under S. 7(i)(vi) of the Municipal Government Act, R.S.A. 2000, c. M-26.

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- xi) **Other Unique Pets** means pets, such as pot belly pigs, waterfowl, or any pet that is not commonly kept within residential limits.
- xii) **Other Unique Pet Keeper** means a person having any right of custody, control, or possession of a unique pet(s).
- xiii) **Peace Officer** means any RCMP, Community Peace Officer or Bylaw Enforcement Officer.
- xiv) **Rooster** means a male chicken.
- xv) **Sell** means to exchange or deliver for money or its equivalent.
- xvi) **Subject Residential Property** means a lot or parcel of land in respect of which chickens and other unique pets license is sought or has been issued.
- xvii) **Temporary Caregiver** means a person who has been authorized by the Chicken and Other Unique Pets Keeper to provide care to their pet(s) in the event the Chicken and Other Unique Pets Keeper is temporarily unable to do so.
- xviii) **Village** means the Village of Clyde, its employees, or its duly authorized representatives.
- xix) **Violation Ticket** means a specified penalty issued under the *Provincial Offences Procedure Act, Part II, RSA 2000, c. P-34, as amended or repealed and replaced from time to time.*

3) **CHICKEN AND OTHER UNIQUE PETS LICENSE**

- a) The maximum number of chicken and other unique pets licenses that may be issued in the Village shall be eight (8), per subject residential property.
- b) A chicken and other unique pets license shall only be issued to a person aged 18 years or older.
- c) A person may keep up to four (4) unique pets at the discretion of the CAO by:
 - i) submitting a completed chicken and other unique pets license application on forms approved by the CAO; and
 - ii) paying an annual chicken and other unique pets license fee as identified in the Village of Clyde Rates and Fees Bylaw. Chicken and other unique pet licenses are 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 January 31 of each subsequent year.
- d) Chicken and other unique pets license fees shall not be reduced or prorated no matter the month of purchase.
- e) Chicken and other unique pets license fees shall not be refunded or rebated.
- f) A chicken and other unique pets license is not transferable from one person to another.
- g) A chicken and other unique pets license is not transferable from one property to another.

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- h) A person to whom a chicken and other unique pets license has been issued shall produce the license upon the demand of a Peace Officer.
- i) A chicken and other unique pets license may be issued or renewed if the CAO is satisfied that the following information has been provided:
 - i) the name, address, and contact information of the person who will be the Chicken and/or Other Unique Pet Keeper;
 - ii) written permission to keep chickens and other unique pets on the property provided by land owner as identified by Alberta Land Titles, if the Chicken and Other Unique Pets Keeper is not the registered owner;
 - iii) written permission from all adjacent neighbours;
 - iv) a drawing showing the location and size of the Coop, and or enclosure, on the property, and all setbacks from the Coop, and or enclosure, to the side and rear property lines;
 - v) evidence that the proposed Chicken and Other Unique Pets Keeper has experience or training in chicken, and or other unique pets keeping;
 - vi) the applicant has complied with all other Provincial and Federal Regulations for the keeping of chickens and other unique pets.
- j) A chicken and other unique pet license may be refused, revoked, or may not be renewed by the CAO if:
 - i) the applicant or license holder does not meet or has ceased to meet the requirements for a chicken and other unique pet license;
 - ii) the applicant or license holder furnishes false information or misrepresents fact or circumstance required by this Bylaw;
 - iii) the applicant or license holder has contravened any part of this Bylaw;
 - iv) the applicant or license holder fails to pay a fine imposed for a contravention of this Bylaw;
 - v) the applicant or license holder has been convicted of any offence involving abuse, mistreatment, or negligent treatment in keeping of animals;
 - vi) the applicant or license holder fails to pay any fee required by this Bylaw or any other applicable legislation; or
 - vii) in the opinion of the CAO, based on reasonable grounds, it is in the public interest to do so.

4) KEEPING OF CHICKENS

- a) A person who keeps Chickens must:
 - i) provide each animal with at least 4 square feet of interior floor area, and at least 10 square feet of outdoor enclosure, within the coop;

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- ii) ensure that each coop is:
 - (1) located in the rear yard of a fenced property;
 - (2) a minimum 10 feet from a dwelling;
 - (3) a minimum 5 feet from any lot line;
- iii) provide and maintain, in the coop, at least one nest box for every one to two chickens and one perch per chicken that is at least 6 inches long;
- iv) keep all chickens in the coop from sunset on any given day, to sunrise the following day;
- v) keep all chickens in a secured area at all times;
- vi) provide each chicken with food, water, shelter, light, warmth, ventilation, care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting;
- vii) maintain the coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
- viii) construct and maintain the coop to prevent any rodent from harboring underneath, within, or within its walls, and to prevent entrance by any other animal;
- ix) keep a food container and water container in the coop;
- x) keep the coop secured at all times;
- xi) remove leftover feed, trash, and manure in a timely manner;
- xii) store feed within a fully enclosed container;
- xiii) ensure that chickens are slaughtered or euthanized at an appropriate facility;
 - (1) chickens that are deceased due to natural causes are to be disposed of by bringing them to a veterinarian, farm, abattoir, or other operation that is lawfully permitted to dispose of chickens;
- xiv) notify the Village immediately should you decide to no longer keep chickens.

5) KEEPING OF OTHER UNIQUE PETS

- a) A person who keeps Other Unique Pets must:
 - i) provide each animal with an appropriately sized living space
 - ii) ensure that each enclosure is:
 - (1) located in the rear yard of a fenced property;
 - (2) a minimum 10 feet from a dwelling;
 - (3) a minimum 5 feet from any lot line;
 - iii) provide and maintain the enclosure;

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- iv) keep all Other Unique Pets in the enclosure from sunset on any given day, to sunrise the following day;
- v) keep all Other Unique Pets in a secured area at all times;
- vi) provide each animal with food, water, shelter, light, warmth, ventilation, care, and opportunities for essential behaviors such as scratching, and socializing;
- vii) maintain the enclosure in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
- viii) construct and maintain the enclosure to prevent any rodent from harboring underneath, within, or within its walls, and to prevent entrance by any other animal;
- ix) keep a food container and water container in the enclosure;
- x) keep the enclosure secured at all times;
- xi) remove leftover feed, trash, and manure in a timely manner;
- xii) store feed within a fully enclosed container;
- xiii) ensure that Other Unique Pets are slaughtered or euthanized at an appropriate facility;
 - (1) Other Unique Pets that are deceased due to natural causes are to be disposed of by bringing them to a veterinarian, farm, abattoir, or other operation that is lawfully permitted to dispose of Other Unique Pets;
- xiv) Must notify the Village immediately should you no longer wish to keep other unique pets.

6) **PROHIBITIONS**

- a) No person shall keep
 - i) a rooster. Once a chick is identified to be a rooster, it may no longer be kept in the Village; as keeping a rooster is considered a contravention of this bylaw.
- b) No person shall use their chickens and other unique pets for commercial purposes, such as the selling of eggs, manure, meat, or any other products derived from chickens and other unique pets.

7) **RIGHT OF ENTRY**

- a) A Peace Officer may, for the purposes of ensuring that the provisions of this Bylaw are being complied with, enter upon a Property in order to carry out an inspection, enforcement or other action required or authorized by this Bylaw.

8) **OFFENSES & VIOLATIONS**

- a) No person shall cause or allow a contravention of this Bylaw. Where a Peace Officer believes that a person has contravened any provision of this Bylaw, the Peace Officer may commence

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- b) proceedings against the Owner by issuing a Municipal Tag or Violation Ticket in accordance with Schedule A of this Bylaw.

9) **SEVERABILITY**

- a) Should any provision of this Bylaw be found to be void or unenforceable, the remainder of the Bylaw shall remain in full force and effect.

THIS BYLAW SHALL TAKE FULL FORCE AND EFFECT UPON DATE OF FINAL READING.

READ FOR A FIRST TIME THIS 8 TH DAY OF April, A.D. 2024.

PUBLIC HEARING HELD THIS 13 TH DAY OF May, A.D. 2024.

READ FOR A SECOND TIME THIS 10 TH DAY OF June, A.D. 2024.

READ FOR A THIRD TIME THIS 10 TH DAY OF June, A.D. 2024.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Signed copy on file at Village Office.



"SCHEDULE A"

OFFENCES

Description of Offence	First Offence	Second and Subsequent Offences
Any offence as outlined in this bylaw other than any item specified below:	\$100.00	\$150.00
Keeping of Prohibited Rooster	\$250	\$1000
Chicken or unique pet at large	\$100	\$250
Keeping chicken and other unique pets without a permit	\$250	\$500
Chicken and other unique pets cause damage to a property	\$250	\$500
Provide false information to a Peace Officer	\$250	\$500
Allow chicken and other unique pets to be a nuisance	\$250	\$500
Fail to comply with Written Order	\$250	\$500
Obstructed person in enforcement of Bylaw	\$250	\$500

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