

**BYLAW 2000
OF STARLAND COUNTY
IN THE PROVINCE OF ALBERTA, CANADA**

Being a bylaw of Starland County, in the province of Alberta, to regulate the keeping of chickens within the hamlets of Starland County

WHEREAS pursuant to section 7 of the *Municipal Government Act* the council of a municipality may pass bylaws 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 the enforcement of bylaws; and

AND WHEREAS, pursuant to section 8 of the *Municipal Government Act* the council of a municipality may, in a bylaw, regulate or prohibit and provide for a system of licenses, permits and approvals; and

AND WHEREAS, Council has determined that they wish to authorize keeping Chickens within specified areas,

NOW THEREFORE, Council of Starland County, in the province of Alberta, duly assembled, enacts as follows:

Part 1 – Citations

1.1 This bylaw may be called the "Hamlet Chicken Bylaw."

Part 2 – Definitions

2.1 In this Bylaw

- (a) "CAO" means the person appointed by the Starland County Council as the Chief Administrative Officer or a designate;
- (b) "Coop" means a fully enclosed weatherproof structure and attached outdoor enclosure used for the keeping of Chickens and located in the rear yard of a property;
- (c) "Chicken" means a male chicken that will not live past the age of 6 months, or domesticated female chicken which is being kept within a Hamlet of Starland County;
- (d) "Municipal Tag" means a document alleging an offence issued pursuant to the authority of a Bylaw of the County;
- (e) "Outdoor Enclosure" means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for Urban Chickens to roam;
- (f) "Peace Officer" has the same meaning as in the *Provincial Offences Procedure Act*;
- (g) "Rooster" means a domesticated male chicken over the age of 6 months;
- (h) "Specified Area(s)" means residential developments or other permitted areas;
- (i) "Violation Ticket" has the same meaning as in the *Provincial Offences Procedure Act*;
- (j) "Hamlet Area" means lands located within the Hamlets on which agricultural operations, including but not limited to the keeping of livestock are neither permitted or discretionary use under the Land Use Bylaw.

Part 3 - Prohibitions

3.1 In land zoned as Hamlet Commercial, Hamlet Residential, or Hamlet Industrial, outlined in Schedule "B", no person shall:

- (a) keep a Rooster
- (b) keep more than 6 Chickens
- (c) keep less than 3 Chickens

Part 4 - Keeping of Hamlet Chickens

4.1 A person who keeps Chickens must:

- (a) provide and maintain a Coop, providing each Chicken with at least 0.37 m² (3.5 sq ft) of interior floor area, and at least 0.92 m² (9 sq ft) of outdoor enclosure, within the Coop, that is no larger than 10 m² in total floor area or, and no more than 2.4m (8') in height;
- (b) provide and maintain, in the Coop, at least one nest box for every two Chicken, and one perch that is at least 15 cm (12") long per Chicken;
- (c) provide and maintain a double enclosure structure, or a fenced rear yard, around the Coop that is at a minimum 1.5m (5 ft) high to a maximum of 2.0m (6.6 Ft) high.
- (d) keep each Chicken in the Coop at all times;
- (e) provide each Chicken with food, water, shelter, light, ventilation, care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the Chicken in good health;
- (f) maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
- (g) construct and maintain the Coop to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
- (h) keep a food container and water container in the Coop;
- (i) keep the Coop secured from sunset to sunrise;
- (j) remove leftover feed, trash, and manure in a timely manner;
- (k) store feed within a fully enclosed container;
- (l) place manure within a fully enclosed container, and store no more than 3 cubic feet of manure at a time;
- (m) remove all other manure not used for composting or fertilizing and dispose of in a matter which complies with bylaw;
- (n) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak;
- (o) keep Chickens for personal use only.
- (p) Shall comply with all federal and provincial government laws and regulations that pertain to raising chickens and the use of chicken related products.

(q) Will obtain a Premises Identification (PID) under the *Alberta Animal Health Act*, SA 2007 c A-40.2;

- 4.2 No person who keeps Hamlet Chickens shall:
- (a) sell eggs, manure, meat, or other products derived from Chickens;
 - (b) dispose of a Chicken except by an appropriate manner, such as by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Chickens; and
 - (c) keep a Chicken in a cage, kennel, or any shelter other than a Coop.

Part 5 - Enforcement

- 5.1 A person who contravenes any provision of this Bylaw is guilty of an offence.
- 5.2 A person who is guilty of an offence is liable to a fine in an amount not less than \$100.00.
- 5.3 Without restricting the generality of Section 5.1, the fine amount established for use on Municipal Tags and for Violation Tickets if a voluntary payment option is offered is established in Schedule "A" of this Bylaw.
- 5.4 A Peace Officer is authorized and empowered to issue a Municipal Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 5.5 A Municipal Tag may be issued to such person:
- (a) either personally; or
 - (b) by mailing a copy to such person at his or her last known post office address.
- 5.6 The Municipal Tag shall be in a form approved by the CAO and shall state:
- (a) the name of the Person;
 - (b) the offence;
 - (c) the specified penalty established by this Bylaw for the offence;
 - (d) that the penalty shall be paid within 14 days of the issuance of the Municipal Tag; and
 - (e) any other information as may be required by the CAO.
- 5.7 Where a Municipal Tag is issued pursuant to this Bylaw, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the County the penalty specified within the time period indicated on the Municipal Tag.
- 5.8 If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
- 5.9 Despite section 5.8, a Peace Officer is authorized and empowered to issue a Violation Ticket to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 5.10 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) specify the fine amount established by this Bylaw for the offence; or
 - (b) require a person to appear in court without the alternative of making a

voluntary payment.

5.11 A Peace Officer may capture and impound any Chicken:

- (a) where the Peace Officer has reasonable grounds to believe an Owner has contravened any provision of this bylaw 3 or more times, and/or has been issued at least one Municipal Tag and/or Violation ticket; or
- (b) found at-large;

5.12 An impounded Chicken shall become the property of the County after three (3) business days, and the County will then, under the *Animal Protection Act*, RSA 2000, c A-41, be authorized to:

- (a) destroy the Chicken;
- (b) sell or gift the Chicken; or
- (c) surrender the Chicken to an appropriate adoption agency.

Part 6 – Voluntary Payment

6.1 A person who commits an offence may:

- (a) if a Violation Ticket is issued in respect of the offence;
- (b) and if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

Part 7 – Obstruction

7.1 No Person shall obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this Bylaw.

Part 8 – Powers of the CAO

8.1 Without restricting any other power, duty or function granted by this Bylaw, the CAO may:

- (a) carry out any inspections to determine compliance with this Bylaw;
- (b) take any steps or carry out any actions required to enforce this Bylaw;
- (c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- (d) establish forms for the purposes of this Bylaw;
- (e) and delegate any powers, duties, or functions under this Bylaw to a Starland County employee.

Part 9 – General

9.1 Nothing in this Bylaw relieves a person from complying with any Federal or Provincial law or regulation, other Starland County Bylaw, or any requirement of any lawful permit, order, or license.

Part 10 – Severability and Coming into Force

10.1 Every provision of this Bylaw is independent of all other provisions and;

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- 10.2 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.
- 10.3 This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

First Reading on motion of Councillor Landry, this 8th day of May, 2024

Second Reading on motion of Deputy Reeve Sargent, this 8th day of May, 2024

Third Reading on motion of Reeve Wannstrom, this 8th day of May, 2024

Done and finally passed in Council, duly assembled, this 8th day of May, 2024



Reeve:
Steven Wannstrom



Chief Administrative Officer:
Christopher Robblee

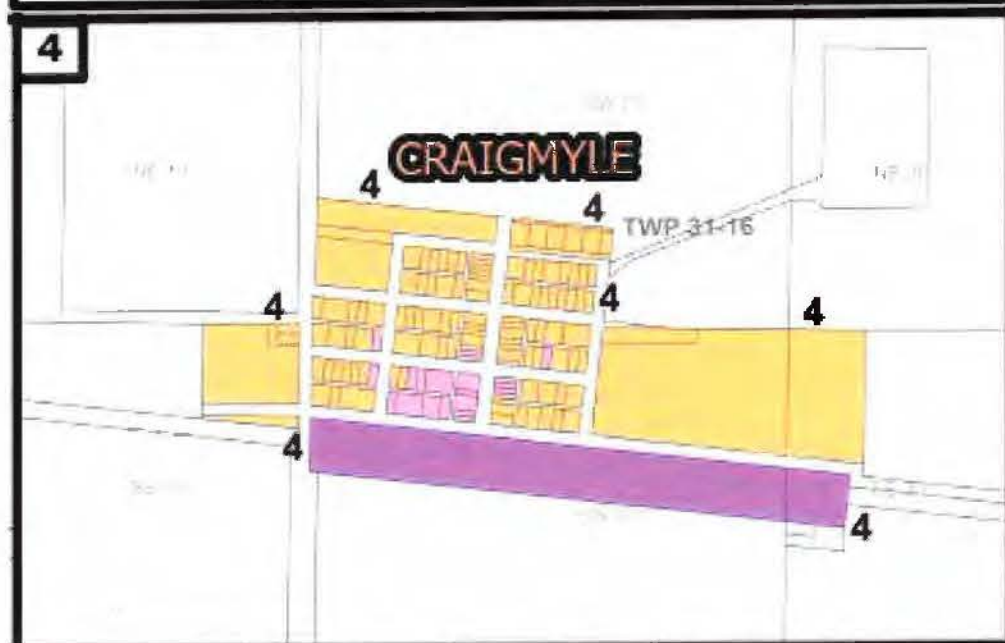
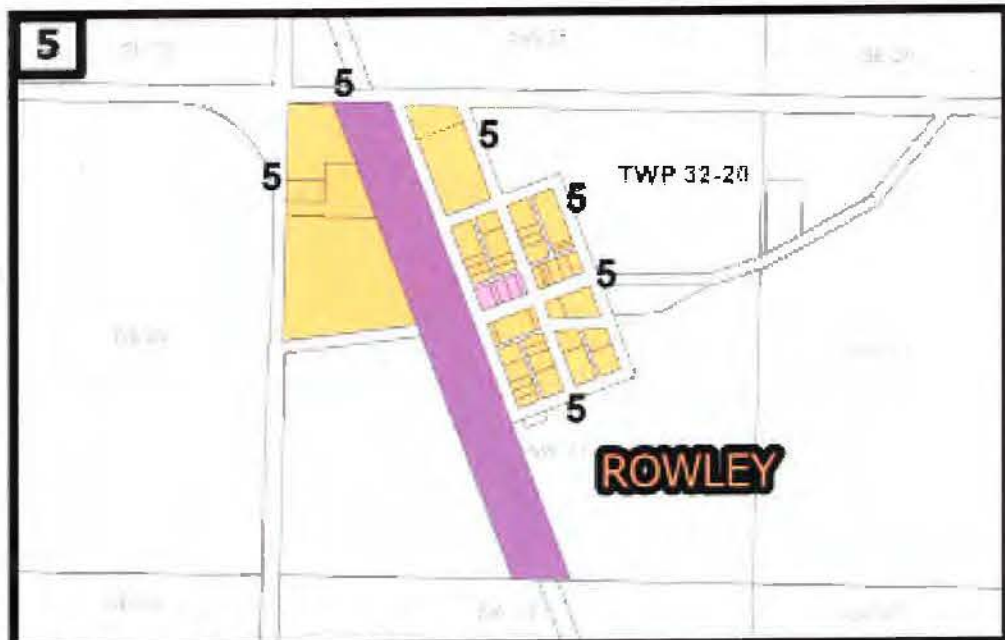
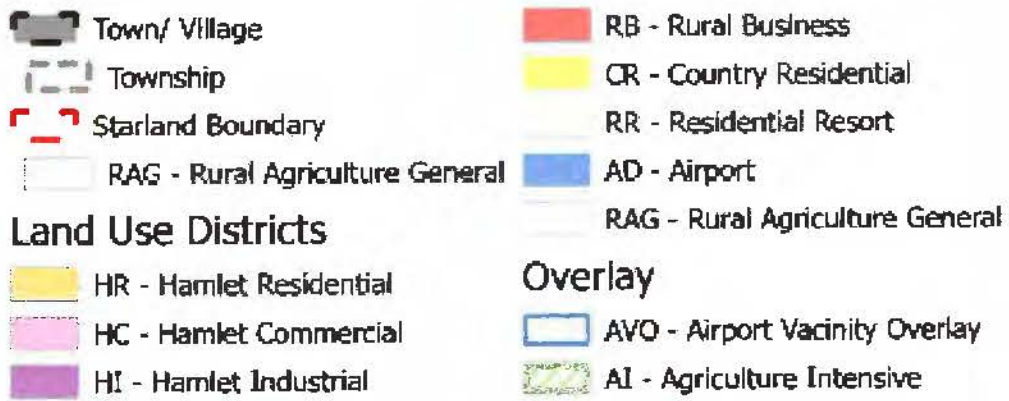
Schedule "A"

FEES

Section #	Offence (Description)	Violation Penalty
4.1	Owner is found in contravention of any provision in this Bylaw, except	First Offence: \$100
5.11	Chicken found at Large	First Offence \$250
7.1	Interfering with, impeding, or hindering a Peace Officer's enforcement of this Bylaw	\$1000 or Court
	Second offence within one year of the first offence	Double the amount of the specified penalty prescribed for a first offence
	Third Offence within one year of the first offence	Mandatory Court

Schedule "B"

Maps of Starland County Hamlets



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