Village of Clive

BYLAW NO. 578-26

COMMUNITY STANDARDS BYLAW #578-26

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Village of Clive

BYLAW NO. 578-26

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BEING A BYLAW OF THE VILLAGE OF CLIVE TO ESTABLISH COMMUNITY STANDARDS TO PREVENT AND/OR RECTIFY PUBLIC DISTURBANCES AND TO ENSURE A SAFE, HOSPITABLE, AND ATTRACTIVE LIVING ENVIRONMENT THROUGHOUT THE MUNICIPALITY.

WHEREAS:

A. The *Municipal Government Act*, RSA 2000 c M-26 authorizes a municipality's Council to pass bylaws respecting:

i. the safety, health and welfare of people and protection of people and property,

ii. people, activities and things in, on or near a public place or place that is open to the public,

iii. nuisances, including unsightly property,

iv. the enforcement of bylaws made under the *Municipal Government Act*, RSA 2000 c M-26 or any other enactment, including the creation of offences, providing for inspections to determine if bylaws are being complied with, and remedying contraventions of bylaws.

B. The *Safety Codes Act*, RSA 2000, c S-1 authorizes a municipality to make bylaws respecting minimum maintenance standards for building and structures, and unsightly or derelict buildings or structures.

C. The *Agricultural Pests Act*, RSA 2000, c A-8 requires a municipality to take active measures to prevent the establishment, or to control or destroy, pests in the municipality.

D. It is desirable to regulate the conduct and activities of persons on privately owned property, and adjacent areas, to promote the safe, enjoyable and reasonable use of such property for the benefit of all persons within the Village of Clive.

E. It is desirable for regulations which influence neighborhood livability to be located, as much as possible, in one bylaw; notwithstanding, Council has adopted various specific bylaws establishing community living standards.

NOW THEREFORE the Council of the Village of Clive in the Province of Alberta, duly assembled, enacts as follows:

PART 1: BYLAW TITLE

1. This Bylaw may be cited as the "Community Standards Bylaw".

PART 2: DEFINITIONS

2. In this bylaw, the following terms are defined as follows:

"Animal" means any dog or cat.

"Animal Owner" includes any Person who owns, possesses, harbours, or has care or control of an Animal.

"Aggressive Behaviour" means any behaviour by an Animal that:
i. attempts to bite, chase, or attack a Person or another Animal, or
ii. demonstrates a threat to public safety as determined by a Peace Officer acting reasonably.

"At Large" means an Animal that is:
i. not on the Owner's Premises, and
ii. not under the control of a Person by means of a leash or physical restraint.

"Biological Waste" means any human or animal anatomical, excrement, part, tissue, or other waste, regardless of whether it is solid or liquid, and includes but is not limited to:

i. the carcass, offal, tissue or parts of an animal,

ii. animal excrement, feces or manure; or

iii. human excrement or feces.

"Building Material" means material or debris which may result from the construction, renovation or demolition of any Structure and includes, but is not limited to, wood, gypsum board, roofing, vinyl siding, metal, packaging material and containers of Building Material, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation, or demolition of any Structure.

“Cannabis” has the same meaning as in the Cannabis Act, S.C. 2018, c. 16, as amended from time to time.

“Chief Administrative Officer” or “CAO” means the individual appointed by Council to the position of Chief Administrative Officer under the *Municipal Government Act* and pursuant to the Chief Administrative Officer Bylaw; or anyone authorized to act on their behalf.

“Construction” means the process of building, constructing, repairing, deconstructing or demolishing any Structure, including landscaping, home repair, home renovations, property improvements, any work in connection with those processes, or any other work that is similar in nature to the aforesaid activities.

“Consume” or “Consumption” means the smoking, vaping, inhaling, exhaling, or otherwise using cannabis.

“Coop” means a fully enclosed, weatherproof structure and attached secure outdoor enclosure used for the keeping of Urban Hens.

“Council” means the Village of Clive municipal Council.

“Driveway” means a vehicle access route between the street and a use on a parcel and has a surface of gravel, shale, concrete, pavement or a semi-permeable paver material.

“Dwelling” means any Structure or place including the land upon which the Structure is located, which is occupied or used for Residential Use.

“Garage” means an accessory Structure or part of a principal Structure designed or intended to be used for the storage of motor Vehicles.

"Garbage" means any household or commercial rubbish including, but not limited to, boxes, cartons, bottles, cans, containers, packaging, wrapping material, paper, cardboard, food, discarded clothing or fabric and discarded household items.

“General Waste” means any material that would be normally discarded as garbage, and includes debris, plastics, ceramic, rags, cast-off clothing, food containers, packaging, wood, ashes, and other decaying and non-decaying materials.

“Graffiti” means signs, symbols, writings, or drawings that are painted, drawn, scratched, stained, marked, etched, or otherwise applied to a surface, including where a sign, symbol, writing or drawing is affixed to a surface through a form of adhesion, without the express authorization of the Owner of the Land, Structure or Premises.

“Good Repair” means maintained in a safe, functional, and structurally sound condition, free from significant deterioration, damage, or visible defects.

“Highway” means a Highway as defined by the *Traffic Safety Act RSA 2000, C T-6* as amended, including but not limited to thoroughfare, street, road, trail, avenue, Driveway, lane, alley, square, or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of Vehicles and includes;

i. a sidewalk, including a boulevard adjacent to the sidewalk;

ii. if a ditch lies adjacent to and parallel with the Roadway, the ditch; and

iii. if a Highway right of way is contained between fences or between a fence and one side of the Roadway, all the land between the fences, or all the land between the fence and the edge of the Roadway, as the case may be.

“Landscaped Area” means an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, ornamental planting, fences, walls and associated earthworks; however, it shall not include areas occupied by garbage containers, storage, parking lots or driveways;

"Land Use Bylaw" means the Village of Clive Land Use Bylaw and any amendment to the Land Use Bylaw.

"Owner" or "Owners" in respect to a Parcel of land means:

i. a Person who is registered under the Land Titles Act as the Owner of a Parcel of land;

ii. a Person who is recorded as the Owner of a Property on the tax assessment roll of the Village;

iii. a Person who has purchased or otherwise acquired a Parcel of land, whether they have purchased or otherwise acquired the land directly from the Owner or from another purchaser, and has not yet become the registered Owner thereof;

iv. a Person holding themself out as the Person having the powers and authority of Ownership of a Property or Premises or who for the time being exercises the powers and authority of Ownership;

v. a Person residing in or in apparent possession or control of Premises;

vi. a Person who is the occupant of a Property or Premises pursuant to a rental or lease agreement, License, or permit; or

vii. a Person controlling a Property or Premises under construction.

"Parcel" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

"Peace Officer" means a Police Officer, a person appointed as a Peace Officer pursuant to the *Peace Officer Act, SA 2006, P-3.5* or a person appointed as a Bylaw Enforcement Officer pursuant to the *Municipal Government Act, RSA 2000, M-26* and amendments thereto.

"Pedestrian Crossing" means a place on a Highway designated for persons to cross the Highway, which may be indicated by a road traffic control device, sign, or markings on the Highway.

"Premises" means any land situated in whole or in part within the Village, including external surfaces of all Structures and land immediately adjacent to any Structures or Structures that includes any land or Structures owned or leased by the Village.

"Projectile" means any object projected, thrown, propelled, or otherwise exerted to be set in motion by force.

"Property" means any public or private land or Structure located within the Village.

"Public Place" means any place within the Village to which the public may have either express or implied access including, but not limited to, areas such as streets, sidewalks, pathways, trails, and any fixture or sculpture located in such area.

'Residential' means the use of land, buildings or structures primarily for human habitation.

"Roadway" means that part of a Highway intended for use by vehicular traffic.

"Sidewalk" means that part of a Highway intended primarily for the use of pedestrians.

"Smoke" or "Smoking" means inhaling or exhaling smoke from tobacco or cannabis, or holding a lit tobacco or cannabis product.

"Special Event" means any public or private event, gathering, celebration, festival, competition, contest, exposition, or similar type of activity.

"Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground, but does not include pavements, curbs, walks or open air surfaced areas;

"Vape" or "Vaping" means inhaling or exhaling vapour from an electronic smoking device or similar device containing tobacco or cannabis.

"Village" means the Village of Clive, a Municipal Corporation of the Province of Alberta.

"Urban Hen" means a domesticated female chicken kept on a residential property pursuant to this Bylaw.

"Vehicle" means a Vehicle as defined by the *Traffic Safety Act RSA 2000, C T-6* as amended, and includes any trailer attached to any Vehicle.

“Violation Tag” means a municipal tag, or similar document, issued by a Peace Officer in relation to an offence under this bylaw that alleges an offence and provides a person with the opportunity to pay an amount to the Village in lieu of prosecution for the offence.

“Violation Ticket” means a ticket issued pursuant to Part II and/or Part III of the *Provincial Offences Procedures Act, R.S.A. 2000.*

“Wood Waste” means solid materials, consisting of wood pieces or particles, generated as a by-product or waste from the use of wood, and includes chopped wood, sawdust, and other wood products.

“Yard Material” means waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities and includes grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and weeds.

PART 3: STATEMENT OF WHOM AND TO WHAT THE BYLAW APPLIES

3. This bylaw applies to all persons, lands, properties, and businesses within the Village of Clive.

PART 4: REGULATION OF NOISE

GENERAL PROHIBITIONS

4. No Person shall make, cause, continue or allow to be made, caused or continued, any noise which is likely to disturb the peace, enjoyment, comfort or convenience of another individual.

5. No Owner of a Premises shall make, cause, continue, or allow to be made, caused, or continued, any noise which emanates from the Premises, and which is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.

6. No Owner of a Vehicle shall permit a Vehicle on a Premises to emit noise which would disturb the peace, enjoyment, comfort, or convenience of another individual, including, but not limited to, noise from excessive engine revving and music or amplification equipment in the Vehicle.

7. In determining if noise is likely to disturb the peace, enjoyment, comfort, or convenience of another individual, under this Bylaw the following criteria may be considered:

a) the type, volume, or duration of the noise;

b) the time of day and day of week;

c) the nature and use of the surrounding area;

d) any other relevant factor.

8. A person may be found guilty of a contravention under this Bylaw, whether or not the noise is measured.

9. A person is not guilty of an offence under this Bylaw for permitting or causing noise if:

a) The noise originates from a Special Event hosted by the Village of Clive;

b) The noise originates from the continual operation or carrying on of an industrial activity where the activity is one which is a permitted use or an approved discretionary use under the Land Use Bylaw;

c) The person has a permit for the noise.

10. In the case of snow removal from commercial or industrial sites located adjacent to Residential Districts and/or areas of Residential Use and where in the reasonable opinion of the Peace Officer it is necessary to ensure the peace and quiet of residents, the Peace Officer may require Noise abatement practices including one or both of the following:

a) a requirement that snow not be removed between twelve (12) o’clock in the morning and seven (7) o’clock in the morning of any day; or

b) a requirement that snow be removed from a site in a sequence which is least disruptive to the peace and quiet of residents.

11. No Person shall conduct or permit Construction activities, including the operation of tools, machinery, equipment, hammering, sawing, excavation, landscaping, or other related activities, in a manner that creates noise audible beyond the Premises:

a) between the hours of 10:00 p.m. and 7:00 a.m. Monday through Saturday; or

b) between the hours of 10:00 p.m. and 10:00 a.m. on Sundays and statutory holidays;

unless:

i. authorized in writing by the Chief Administrative Officer;

ii. authorized pursuant to a Development Permit or other municipal approval; or

iii. the activities are occurring within an Industrial District under the Land Use Bylaw.

EXEMPTIONS

12. The prohibitions on noise in Part 4 of this Bylaw do not apply to:

a) emergency Vehicles,

b) the ringing of bells in schools, churches, and religious establishments,

c) the sounding of any alarm or warning to announce a fire or other emergency,

d) contractors carrying out snow removal from commercial or industrial sites which are not adjacent to Residential Districts, or

e) work on a Village roadway, or public utility, carried out by the owner or operator of the public utility, or its contractors.

13. A Person may make a written application to the Chief Administrative Officer for a noise

exemption permit, allowing for noise that would otherwise violate this bylaw, in a form approved by the Chief Administrative Officer.

14. The Chief Administrative Officer may in their sole discretion:

a) issue a noise exemption permit where the Chief Administrative Officer determines that circumstances make it impractical for the applicant to comply with this bylaw,

b) revoke any noise exemption permit where the Chief Administrative Officer determines that the permit holder has not met the terms or conditions of the permit or taken sufficient measures to minimize noise, and;

c) impose any conditions on the issuance or the use of a noise exemption permit the Chief Administrative Officer considers appropriate.

PART 5: PERSONS, PUBLIC BEHAVIOURS & NUISANCES IN PUBLIC PLACES

15. A Special Event held in, or on, a Public Place that uses Projectiles requires written authorization from the Chief Administrative Officer to allow for the same.

16. No Person shall participate in a fight, or other physical confrontation whether consensual or not:

a) in a Public Place; or

b) on any Property, if the fight or physical confrontation, can be observed or heard from a Public Place.

17. Where unauthorized Graffiti is present on a Premises and visible from a Public Place, a Peace Officer may direct the Owner or Occupant to remove, cover, or otherwise remediate the Graffiti within a specified period of time.

18. No Person shall damage, destroy, deface, tamper or otherwise interfere with any Property.

19. No Person shall defecate or urinate:

a) in or on a Public Place, or

b) in or on any other Property, where the act of defecating or urinating is visible from a Public Place.

CANNABIS USE

20. A Person must not Smoke, Vape, or Consume Cannabis in any Public Place within the Municipality.

21. For greater certainty, this prohibition applies to all Public Places, whether indoor or outdoor, including but not limited to parks, pathways, streets, sidewalks, and municipal property.

22. All Persons must comply with the *Tobacco, Smoking and Vaping Reduction Act* and the *Gaming, Liquor and Cannabis Act*, as amended.

23. Nothing in this Bylaw relieves a Person from complying with any applicable federal or provincial legislation.

24. Nothing in this Bylaw prohibits the Consumption of Cannabis within a Private Residence, subject to any applicable provincial or federal legislation.

PART 6: REGULATION OF PROPERTIES, STREETS, NUISANCES, AND PARKS

Obstructing Sidewalk

25. No person shall place any object on, above or adjacent to a Public Place in a manner that may unreasonably obstruct the passage of another person using or desiring to use that Public Place.

Unsightly Premises

26. No Owner of a Premises shall cause, allow, or permit the accumulation or presence of Garbage, refuse, scrap material, disassembled equipment, derelict vehicles, appliances, household goods, Building Materials, Yard Material, waste, or other unsightly matter on a Premises where such materials:

a) are visible from a Public Place or neighbouring Premises and are not suitably screened from view;

b) create a nuisance, safety hazard, or adverse impact on the use and enjoyment of neighbouring Premises;

c) consist of equipment, machinery, Structures, or materials that are not maintained in Good Repair; or

d) interfere with or obstruct:
i. a Highway, Sidewalk, or other Public Place;
ii. visibility required for the safe flow of traffic or pedestrians; or
iii. any public work or utility.

e) Any material that creates offensive odours that can be detected outside the Premises.

f) Allow grass or weeds to grow to a height, or grow in a manner, that would cause the Premises to be in an unsightly condition.

27. An Owner of a Premises shall ensure that all Building Material, Yard Material, landscaping materials, wood or metal, stored on a Premises, are stacked or stored in an orderly manner.

28. An Owner shall ensure that Building Material or Yard Material on their Premises is removed or contained and secured in such a manner that prevents such material from being blown off or scattered from the Property.

29. The provisions of this Bylaw shall not be interpreted to prevent bona fide and permitted commercial, industrial, agricultural, Construction, demolition, renovation, landscaping, clean-up, storage or other related activities from being carried out on, or in relation to a Premises.

Grass, Trees, and Weeds

30. An Owner is required to ensure that no Yard Material accumulates, or is otherwise on, a Highway that abuts, adjoins or is adjacent to their Property, Parcel or lands.

31. An Owner is required to restore or remove all trees on their Property that, due to deterioration of condition or for any other reason, are determined, by the Village, to be a safety hazard or a risk to cause property damage.

32. In the event the Village is not aware that a tree(s) is a safety hazard or a risk to cause property damage, then an Owner is still required to remove or restore a tree on their Property, if a reasonable

person in the Owner's circumstances would consider the tree(s) to pose a safety hazard or risk to cause property damage.

33. All portions of a Parcel not occupied by Structures, Driveways, parking areas, pedestrian walkways, storage areas, display areas, or required Landscaped Areas under the Land Use Bylaw shall be maintained with suitable ground cover, landscaping, gardens, or other commonly accepted landscaping materials.

34. On a corner Parcel at the intersection of two Highways, excluding an alley, the Owner or Occupant shall maintain a sight triangle measured six (6) metres in each direction from the intersection. Within the sight triangle, no hedge, shrub, tree or other vegetation shall be permitted to obstruct the visibility of pedestrians or motorists.

35. An Owner or Occupant shall ensure that trees, shrubs, bushes and other vegetation located on their Property are trimmed and maintained to provide a minimum vertical clearance of:
a) 7.5 feet (2.3 metres) above a Sidewalk; and
b) 13.5 feet (4.1 metres) above an alley or Roadway.

Upkeep of Exterior Structures

36. All Dwellings must display their house number and are not to be obscured by any obstructions.

37. Every Owner of a Premises shall ensure the following are maintained and in Good Repair:

a) Structures,

b) fences,

c) awnings, canopies,

d) retaining walls, terraces, patios, exterior stairs, landings, porches, balconies, decks and other hardscaping,

e) foundations and foundation walls,

f) exterior walls and exterior wall components,

g) windows and window casings,

h) roofs and roof components, or

i) doors and door frames.

38. Where a Structure is not maintained in Good Repair, a Peace Officer may issue a written notice requiring the Owner or Occupant to repair, rehabilitate, remove, or otherwise remedy the condition of the Structure within the time specified in the notice.

39. Failure to comply with a notice issued under this section constitutes an offence under this Bylaw.

PART 7: SNOW REMOVAL AND CLEARING OF SIDEWALKS

40. An Owner of any land that has a Sidewalk, or is adjacent to a Sidewalk, shall remove or cause to be removed any ice or snow from the Sidewalk and roadway portion of the said crossing (if applicable) within forty-eight hours after the ice or snow has accumulated.

41. In the event that the Owner or Occupant of land adjacent to a Sidewalk fails or neglects to remove and clear away all snow or ice from a Sidewalk within forty-eight hours, the Chief Administrative Officer may cause the snow or ice to be removed from such Sidewalk, with all costs and expenses charged to the Owner or Occupant, responsible for the removal of the snow or ice, and any unpaid costs or expenses shall be added to the tax roll for the land to be recovered in the same manner as other taxes pursuant to the provisions of the *Municipal Government Act.*

42. Any Owner of land or person who has an awning, canopy, marquee, roof drainage controlled by eaves troughing, or other Structure extending from a portion of their Premises over a Sidewalk or other portion of a roadway shall keep the said awning, canopy, marquee, eaves troughing, or other Structure free from snow or ice so that it will not drip or fall upon the Sidewalk or roadway below.

43. No Person operating a business Premises, to which entry or exit for vehicles is made by a crossing located between the curb and the private property line, shall allow mud, water, slush, ice, or icy frozen snow to remain on the public Sidewalk or roadway portion of the said crossing.

44. A Person shall not deposit snow and ice:

a) On any Highway, public street, road, or any Public Place, unless expressly permitted by the Chief Administrative Officer.

b) On the entranceway of any firehall, emergency vehicle lane, fire lane, or in any other manner that interferes with the operation of, or access to, emergency vehicles.

c) On any Property without the Owner's express permission.

d) In a manner that impedes overland drainage including storm sewer grates.

PART 8: ANIMAL CONTROL

45. Every Owner of an Animal over the age of eight (8) weeks shall:

a) obtain a valid licence issued by the Village pursuant to the provisions of this Bylaw; and
b) ensure the Animal wears the licence tag at all times while off the Owner's Premises.

46. No Person shall keep, harbour, or permit to be kept or harboured on any residential Premises:

a) more than three (3) dogs; or
b) more than three (3) cats.

47. The licensing requirements of this Bylaw do not apply to an Animal temporarily within the Village for a period of thirty (30) days or less, provided the Animal ordinarily resides outside the Village.

48. No Animal Owner shall permit an Animal to be At Large within the Village.

49. A Peace Officer may seize and impound any Animal found At Large.

50. Where an Animal is impounded:

a) reasonable efforts shall be made to identify and contact the Animal Owner;

b) the Animal shall not be released to the Animal Owner until all applicable licence, impoundment, boarding, veterinary, and other applicable fees or charges have been paid; and

c) an Animal that is not claimed within the applicable impoundment period may be transferred, adopted, or otherwise disposed of in accordance with applicable legislation and the policies or procedures of the Village or its authorized animal control provider.

51. An Animal Owner shall immediately remove and properly dispose of any feces left by their Animal on:

a) any Public Place; or
b) any Property other than the Owner's Premises.

52. No Animal Owner shall allow the accumulation of Animal feces, waste, or any other condition on a Premises that creates an offensive odour, nuisance, or health hazard.

53. No Animal Owner shall permit an Animal to bark, howl, or otherwise make noise that:

a) is persistent; or
b) unreasonably disturbs the peace, enjoyment, comfort, or convenience of another Person.

54. No Animal Owner shall permit an Animal to exhibit Aggressive Behaviour.

55. No Animal Owner shall permit an Animal to bite, attack, or cause injury to a Person or another Animal.

56. Where a Peace Officer determines, acting reasonably, that an Animal poses a risk to public safety, the Peace Officer may:

a) require the Animal Owner to take corrective measures, including but not limited to:

i. muzzling the Animal;
ii. restraining the Animal;
iii. confining the Animal to the Owner's Premises; or
iv. taking other reasonable measures necessary to protect public safety;

b) issue a Violation Tag or Violation Ticket; or
c) seize and impound the Animal in accordance with applicable legislation.

Urban Hens

57. A person may apply to keep no more than six (6) Urban Hens by:

a) Submitting a completed application, on the form approved by the Chief Administrative Officer; and

b) Paying the license fee to the Village as set out in the Rates and Fees Bylaw #530-19 as amended each year a license is issued or renewed.

58. The Chief Administrative Officer may not issue or renew a Hen License unless satisfied that:

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 application;
b. The land use districting 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 property on which the Urban Hens will be kept contains a detached or semi detached dwelling;
d. The applicant resides on the property on which the Urban Hens will be kept;
e. The applicable fee has been paid; and
f. All required information has been provided.

59. The maximum number of Hen Licenses that may be issued for the year in which this Bylaw comes into force shall be ten (10).

60. The Chief Administrative Officer may refuse to grant or renew a Hen License for the following reasons:

a. The applicant or license holder does not meet or no longer meets the requirements of this bylaw for a Hen License;
b. The applicant or license holder:
    i. Furnishes false information or misrepresents any fact or circumstance to the Chief Administrative Officer or a Peace Officer;
    ii. Has, in the opinion of the Chief Administrative Officer based on reasonable grounds, contravened this bylaw whether or not the contravention has been prosecuted;
    iii. Fails to pay a fine for a contravention of this Bylaw or any other applicable Bylaw related to the keeping of Urban Hens;
    iv. Fails to pay any fee required by this or any applicable Bylaw; or
c. The Chief Administrative Officer may consider written concerns from adjacent property owners.
d. In the opinion of the Chief Administrative Officer based on reasonable grounds it is in the public interest to do so.

61. If the Chief Administrative Officer refuses to grant or renew a Hen License, the applicant may appeal the decision to the Village of Clive Council.

62. A Hen License is valid only for the period April 1 to March 31 in the year for which it is issued.

63. A Hen License is not transferrable from one person to another or from one property to another.

64. A person to whom a Hen License has been issued shall produce the license at the demand of the Chief Administrative Officer or a Peace Officer.

Keeping of Urban Hens

65. A person who keeps Urban Hens must:

a. Comply with the *Animal Health Act*;
b. Have knowledge, experience, or training in hen keeping or have the support and assistance from a hen keeping mentor;
c. Provide each Hen with at least 0.37 m^2 (3.99 ft^2) of interior floor area within the Coop; Locate the Coop in a rear yard, no less than 1.0 m (3.3 ft) from the side and rear boundaries;
d. Provide each Hen with at least 0.90 m^2 (9.7 ft^2) of exterior floor area outside the Coop;

e. Provide and maintain at least one nest box for every two Hens and one perch that is at least 15 cm (6 inches) long per Hen in the Coop;
f. Keep each Urban Hen within the Coop at all times;
g. Provide each 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 Hen in good health;
h. Maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
i. 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;
j. Keep a food container and water container in the Coop;
k. Keep the Coop secured from sunset to sunrise;
l. Remove leftover feed, trash, and manure in a timely manner;
m. Store feed within a fully enclosed container;
n. Manage the organic waste (manure) from the hens in accordance with Village bylaws;
o. Follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreaks; and
p. Keep Hens for personal use only.

66. No person who keeps Urban Hens shall:

a. Sell eggs, manure, meat, or other products derived from Hens;
b. Slaughter a Hen on the property;
c. Dispose of a Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Hens; and
d. Keep a Hen in a cage, kennel, or any shelter other than a Coop.

PART 9: OFFENCES AND ENFORCEMENT

67. Any Person who contravenes any provision of this Bylaw is guilty of an offence.

68. A Person who contravenes a provision of this Bylaw is liable to the specified penalty set out in Schedule “A”. Where no specified penalty is provided in Schedule “A” for an offence, the specified penalty is $250 for a first offence, $500 for a second offence, and $750 for a third or subsequent offence.

69. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw.

70. Nothing in this bylaw limits the discretion of a Peace Officer or the Village to first seek voluntary compliance prior to issuing a violation tag or ticket.

71. Where a Person contravenes this Bylaw, the Village may issue an Order to Remedy in accordance with the Municipal Government Act. If the Person fails to comply with the Order within the time specified, the Village may take any action or measure authorized by the Municipal Government Act to remedy the contravention.

72. Any expenses or costs incurred by the Village in remedying a contravention are amounts owing to the Village and may be recovered in accordance with the Municipal Government Act, including, where authorized by the Municipal Government Act, by adding the amount owing to the applicable tax roll.

73. A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person who a Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw. Notwithstanding, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the Provincial Offences Procedure Act, as amended, to any person who a Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.

74. A Violation Tag may be issued to such person a) either personally, or b) by mailing a copy to such Person at their last known or registered address.

75. The Person to whom a Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Village the penalty specified on the Violation Tag.

76. If the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.

PART 10: ENACTMENT, SCHEDULES, SEVERABILITY

77. If any provision of this by law shall be held invalid or unenforceable, the invalidity or unenforceability shall attach only to that provision and shall not in any manner affect or render invalid or unenforceable any other provision, and this by law shall be interpreted and enforced as if the invalid or unenforceable provision were not contained herein.

78. This By Law comes into force and effect on the date it is passed.

79. Schedule “A” forms part of this By Law.

80. The Following By Laws and all amendments thereto are hereby repealed:

By Law No. 536-19 Dog Control

By Law No. 513-16 Cat Control

By Law No. 420-98 Nuisance & Unsightly

By Law No. 527-18 Cannabis Consumption

By Law No. 552-21 Urban Hen

By Law No. 433-00 Noise

READINGS

Read for the first time on the 26th day of May 2026.

Read a second time on the 28th day of September 2026.

Read a third and final time on the 13th day of October 2026.

_____ _____

SIGNED by the Mayor and the Chief Administrative Officer this day of 2026.

Schedule A

Offence	1st Offence	2nd Offence	3rd & Subsequent Offence
General nuisance or unsightly premises violation	$100	$250	$500
Failure to comply with a written notice or Order to Remedy issued under this Bylaw	$250	$500	$1,000
Failure to remove snow or ice	$100	$200	$400
Depositing snow or ice contrary to this Bylaw	$150	$300	$500
Construction noise violation	$250	$500	$750
Excessive or nuisance noise	$150	$300	$500
Graffiti offence	$500	$1,000	$2,500
Failure to remove graffiti	$250	$500	$1,000
Animal At Large	$150	$300	$500
Failure to remove animal feces	$100	$200	$400
Persistent animal noise	$150	$300	$500
Exceeding maximum number of dogs or cats	$100	$250	$500
Failure to Obtain Animal Licence	$100	$250	$500
Failure to ensure Animal wears licence tag	$100	$250	$500
Animal exhibiting Aggressive Behaviour s.54	$250	$500	$1,000
Animal biting, attacking, or causing injury s.55	$500	$1,000	$2,500
Public cannabis consumption violation	$100	$250	$500
Obstruction of a Public Place or Sidewalk	$150	$300	$500
Damage or interference with Property	$500	$1,000	$2,500
Urban hen violation	$250	$500	$1,000