

VILLAGE OF GLENWOOD

BYLAW # 265-2024

Livestock Bylaw

A Bylaw for the regulation and control of animals other than dogs in the Village of Glenwood.

WHEREAS the *Municipal Government Act* of Alberta, Revised Statutes of Alberta, R.S.A. 2000, Chapter M-26 and amendments thereto, authorizes a Council to pass bylaws for the regulation and control of wild and domestic animals and activities in relation to them;

AND WHEREAS the Council deems it necessary to pass such a bylaw;

NOW THEREFORE THE COUNCIL OF THE VILLAGE OF GLENWOOD, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SECTION 1 – TITLE OF BYLAW

1.1 This Bylaw may be cited as the “Livestock Bylaw.”

SECTION 2 – DEFINITIONS

2.1 In this Bylaw, unless the context otherwise requires:

- a) **“Animal Material”** means any animal excrement and includes all materials accumulated on a premises from pet pens, pet yards, stables, kennels or feed lots.
- b) **“Building”** includes anything constructed or placed on, in, over and under land.
- c) **“CAO”** means the person appointed to the position of Chief Administrative Office for the Village of Glenwood, within the meaning of the *Municipal Government Act*, or their designate.
- d) **“Coop”** means any structure weatherproof used for the keeping of chickens, turkeys, ducks, quail, pheasants or geese.
- e) **“Council”** means the Mayor and Council of the Village of Glenwood, duly elected pursuant to the provisions of the *Local Authorities Election Act*;
- f) **“Enforcement Officer”** means a Chief Administrative Officer, Animal Control Officer, Community Peace Officer, Bylaw Enforcement Officer, RCMP Officer, Public Health Inspector or other person appointed by the Village who is authorized to enforce bylaws for the Village of Glenwood or the legislation of the Province of Alberta;
- g) **“Highway”** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, bridge, causeway, or other place whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for passage or parking



of vehicles or the legal passage of persons on foot, or a roadway as defined in the *Traffic Safety Act* and includes:

- i) a sidewalk;
- ii) a boulevard; and
- iii) a ditch lying adjacent or parallel to a highway.

h) **“Livestock”** means an animal and is not limited to:

- i) a horse, mule, donkey, emu, ostrich, camel, llama, alpaca, sheep, or goat;
- ii) animals of the bovine species such as cattle, buffalo and bison;
- iii) animals of the swine family such as pigs;
- iv) domestically reared or kept deer, moose, elk, bison or reindeer;
- v) farm bred fur bearing animals including foxes, mink, or chinchilla;
- vi) rabbits raised for meat;
- vii) animals of the avian species, hereinafter referred to as “poultry” intended for human consumption or egg production such as chickens, ducks, geese, turkeys, quails or pheasant; and
- viii) all other animals or insects kept for agricultural purposes.

i) **“Occupant”** means a Person or Persons who are residing on or are in apparent possession or control of the property.

j) **“Owner”** of a property means:

- i) a person registered under the *Land Titles Act* as the Owner of the land;
- ii) a person recorded as an Owner on the Village tax assessment roll;
- iii) a person who has purchased the land and has not yet become the registered owner of the lands;
- iv) a person controlling the property while under construction or the occupant of the property pursuant to a rental or lease agreement, licence or permit; or
- v) a person holding him/her as the person having powers and authority of ownership of the property including but not limited to a “Power of Attorney”.

k) **“Order”** means any mandate, command or direction given under the authority of this bylaw or provincial statute or regulation.

l) **“Person(s)”** means an individual or business including a firm, partnership, corporation, company or society.

m) **“Property”** means any land located in whole or in part within the Village and includes all buildings located on the lands.

n) **“Village”** means the Village of Glenwood.

o) **“Violation Ticket”** means a ticket issued pursuant to this bylaw or Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000 as amended and any regulations thereunder.

p) **“Wildlife”** means big game animals, game birds, birds of prey, fur bearing animals, fur bearing carnivores and any other species of vertebrates designated as wildlife under the *Wildlife Act* and the regulations pursuant hereto.

SECTION 3 – USES PERMITTED AND PROHIBITED

- 3.1 Subject to the provisions of this Bylaw and any other Bylaw of the Village of Glenwood, animals may be kept within the Village and shall include domestic cats and dogs.
- 3.2 This Bylaw does not prohibit other domestic pets such as small caged pets or birds that fall within provincial and federal guidelines, such as hamsters, guinea pigs, sugar gliders, gerbils, African pygmy hedgehogs, budgie birds or parrots.
- 3.3 This Bylaw limits the number of swine and goats to four (4) per property, with the following conditions:
- a) Stys, barns, sheds and pens shall be constructed in a manner as to prevent any escape of swine or goats from the property; and
 - b) Setbacks from structures housing swine shall be as required to mitigate smells from affecting adjacent landowners, and to prevent any public health nuisance.
- 3.4 No person shall keep or have any of the following within the Village:
- a) Domestically reared or kept deer, moose, elk, bison or reindeer;
 - b) Wildlife as defined in this Bylaw; or
 - c) Poisonous or constrictive snakes, lizards, reptiles, rats or any insects, including those deemed exotic or dangerous under the provincial *Wildlife Act* or the *Agricultural Pests Act* or the federal *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*.
- 3.5 The owner of any Livestock within the Village shall adhere to any and all applicable local, provincial and federal rules, acts, regulations and associated certification, approval and permitting processes required by, but not limited to the *Animal Protection Act*, the *Environmental Protection and Enhancement Act*, the *Agricultural Operations Practices Act*, and all associated regulations.

SECTION 4 – POULTRY - URBAN HENS, DUCKS, GEESE, TURKEYS, QUAIL, PHEASANTS

- 4.1 A person or owner may keep up to fifty (50) chickens, on properties designated as residential, for egg and meat production for personal use.
- 4.2 A person or owner may keep up to a maximum of twenty (20) fowl made up of a combination of geese, turkeys, ducks, quails, or pheasant, on properties designated as residential, for egg and meat production for personal use.
- 4.3 A person or owner may sell extra eggs to the general public generated from the birds allowed under Section 4.1 or 4.2.
- 4.4 A person or owner who keeps hens, ducks, geese, turkeys, quail or pheasants must:



- a) ensure each coop meets the setback requirements for accessory buildings and structures as set out in the Village Land Use Bylaw; and
- b) provide appropriate food, water, shelter, light, ventilation, veterinary care and opportunities for essential behaviors such as scratching, dust bathing and roosting, all sufficient to maintain the health of the birds; and
- d) properly dispose of carcasses by removing them and disposing of them in a landfill or by burial, and in lieu of removing manure from the site, manure shall be managed on site by composting the manure by adding carbon rich sources such as woodchips or autumn leaves, or straw to break down the manure, and turning the compost pile regularly. Placement of the compost pile must be in such a location as to avoid adversely affecting the property or neighbouring properties; and
- e) ensure there are no carcasses, manure, offal or residual garbage left in a manner that would attract other animals or vermin so as to avoid adversely affecting the property or neighbouring properties.

SECTION 5 –PERMISSIONS AND EXEMPTIONS UNDER THIS BYLAW

5.1 Exceptions to Section 3.3 include:

- a) Facilities where Livestock are temporarily housed for education or veterinary purposes;
- b) Facilities where Livestock are temporarily housed for purposes such as a slaughterhouse, auction market, or riding arena, all of which are subject to requirements and restrictions by the Village Land Use Bylaw;
- c) For special events such as rodeos, petting zoos, or parades;

5.2 Where the property is designated by the Land Use Bylaw as Residential or Commercial Livestock the maximum density of equine/ bovine animals combined shall be as follows:

- a) 0.25 to 2.49 acres – maximum of three (3) animals;
- b) 2.50 or greater – maximum of six (6) animals;
unless they are kept in a fat pen, confined for health reasons or on a feeding rotation.

5.3 No person shall keep any Livestock in any place used for a residence, or in any building or shed attached or connected to a residence, unless they are warming a newborn or caring for a sick or injured animal.

5.4 Where exemptions apply as per Section 5.1, 5.2, 5.3 an owner shall not create, establish or maintain:

- a) a stable or other building in which Livestock are kept in such a manner or in such numbers as to be dangerous to health or which may hinder the prevention or suppression of disease; or

- b) an accumulation of refuse, offal or manure on the property which is dangerous to health, may cause disease, may create a breeding place for flies or vermin or cause odours.
- 5.5 No person shall keep any poultry in any shed, coop, pen, yard or other enclosure located less than twenty (20) feet from any dwelling on the principal property, or any adjacent property with an occupied dwelling.
- 5.6 All sheds, stables, pens, corrals, styes, fences or enclosures where Livestock are kept shall be properly constructed, drained, ventilated, maintained and kept clean to the satisfaction of an Enforcement Officer, Livestock Inspector or Public Health Officer to ensure the health and comfort of the Livestock, to prevent the Livestock from escaping the structure and the property, and to prevent the attraction of other animals, insects or vermin so as to not adversely affect the property or neighbouring properties.
- 5.7 All sites where Livestock are housed must be kept clean of any build up of manures, carcasses or residual garbage so as to not be left in a manner that would attract other animals, or vermin so as to not adversely affect the property or neighbouring properties.

SECTION 6 – ENFORCEMENT

- 6.1 Where an Owner or Occupant of a Property is found by an Enforcement Officer to be in non-compliance with any provision of this Bylaw, the Owner or Occupant of the Property may be issued an Order containing the following;
- a) the address and/or legal description of the Property where remedial action is required;
 - b) the condition(s) that are not in compliance with this Bylaw; and
 - c) the remedial action required to bring the Property into compliance;
- 6.2 Any Order issued pursuant to Section 7.1 of this bylaw shall be deemed to have been served upon the Owner or Occupant of the Property when the Order is:
- a) served personally upon the Owner or Occupant, or served upon any Person who is or appears to be 18 years of age or older and who resides on the Property; or
 - b) served personally upon the Property Manager or Person apparently in charge of the Property, if the Property is not occupied or managed by the Owner; or
 - c) posted at a conspicuous place near the main entrance of the Property; or
 - d) served by electronic mail if available to the Village; or
 - e) mailed by regular mail to the Owner of the Property at the address on record with the Village, and the date of service shall be deemed to be seven (7) days after the date of mailing, in accordance with Section 23(1)(a) of the *Interpretation Act, RSA 2000, c1-8*, which states;

“If an enactment authorizes or required a document to be sent, given or served by mail and the document is properly addressed and sent by prepaid mail other than double registered or certified mail, unless the contrary is proved the service shall be presumed to be effected

(a) 7 days from the date of mailing if the document is mailed in Alberta to an address in Alberta.”

- 6.3 The Owner or Occupant of a Property who has been served with an Order issued pursuant to this bylaw shall fully comply with the Notice within the time stated or within the time provided by an extension, not greater than seven (7) days given, in writing, by the Enforcement Officer.
- 6.4 Where an Enforcement Officer has reasonable grounds to believe a Person contravened any provision of this bylaw, they may commence enforcement of the bylaw by:
- a) issuing the Person, a Violation Ticket, in a form approved by the Chief Administrative Officer; and
 - b) if the Violation Ticket penalty is not paid within the specified period, the Person shall be issued an additional Violation Ticket pursuant to the provisions of Part Two (2) of the Provincial Offences Procedures Act (POPA); and
 - c) Penalties issued under this bylaw shall be in accordance with Schedule “A” of this bylaw;
- 6.5 When an Enforcement Officer issues a Person a Violation Ticket in accordance with this Bylaw the Person shall have the following options:
- a) to pay the Violation Ticket within the time frame provided and adhere to the requirements of the Order issued for the remediation of the Property; or
 - b) request an appeal of the Order, in writing, to appear before the Council of the Village to have one or more the conditions of the Order set aside, and the decision of the Council shall be binding upon the Person served; or
 - c) attend a Court appearance, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act, where the Enforcement Officer reasonably believes that such appearance is in the public interest.
- 6.6 No provision of this bylaw or action taken pursuant to any provision of this bylaw shall restrict, prevent or limit an Enforcement Officer or the Village from pursuing any other remedy in relations to a Property as provided by the *Municipal Government Act*, or any other law of the Province of Alberta, or any other Bylaw of the Village.
- 6.7 No provision of this bylaw or action taken pursuant to any provision of this bylaw shall prevent the recover of costs for actions taken by the Village to bring the Property into compliance with this bylaw, in accordance with the *Municipal Government Act*, Revised Statutes of Alberta 2000 Chapter M-26, Sections 552 and 553.

SECTION 7 – GENERAL

7.1 Each provision of this bylaw shall be considered as being separate and severable from all other provisions and if any section or provision of this bylaw shall be found to have been improperly enacted, such section or provisions shall be regarded as being several from the rest of this bylaw and the remainder of this bylaw shall remain in effect and enforceable.

SECTION 8 - SCHEDULE "A" MINIMUM AND SPECIFIED PENALTIES AND FEES

8.1 The minimum and specified penalty for any violation of this bylaw is a fine in the amount of:

- a) First Offence – a written warning providing dates by which to comply;
- b) Second Offence - \$100.00;
- c) Third and subsequent offence - \$250.00

Read a FIRST time this 8th day of May, 2024.

Read a SECOND time this 8th day of May, 2024.

Read a THIRD time and finally passed this 8th day of May, 2024.



Linda Allred, Mayor



Cynthia Vizzutti, Chief Administrative Officer