



## REQUEST FOR DECISION

**MEETING DATE:** May 27, 2024

**TITLE:** C-1313-24 - Hens Bylaw - First and Second Reading

**DIVISION:** Sustainable Growth and Development Services

---

### **SUMMARY:**

The results of the Community Standards Bylaw survey identified the desire to permit hen keeping in Spruce Grove. With evidence from jurisdictional research and training, Administration has prepared an implementation program for hen licensing including a Hens Bylaw and associated Land Use Bylaw and Development Fees and Fines Bylaw amendments. Based on the recommendation of the Governance and Priorities Committee (GPC) to Council at the April 15, 2024 GPC meeting, Administration has developed a two-year hen keeping pilot project and provided clarity to questions received.

---

### **PROPOSED MOTION:**

THAT a pilot project of two years be implemented for the Hens Program.

THAT first reading be given to C-1313-24 - Hens Bylaw.

THAT second reading be given to C-1313-24 - Hens Bylaw.

### **BACKGROUND / ANALYSIS:**

The 2022 - 2025 Strategic Plan contains an objective to develop an urban agriculture strategy, which includes review of an urban farming policy. In conjunction with the Community Standards Bylaw public engagement, direction was given in August 2023 to proceed with development of a hen keeping program to launch in 2024. Administration was requested to return in the spring with the following for consideration:

- Project plan;
- Resourcing plan;

- Implementation plan; and
- New bylaw and recommendations for bylaw amendments that will need to be made to enable the desired licensing practices.

A two-year pilot project for hen keeping has been developed, which has included:

1. Background review and research
  - Engagement regarding potential support for hen keeping through Community Standards Bylaw initiative.
  - Due Diligence Report completed.
  - Interviews and discussions with other municipalities.
  
2. Program and process requirements
  - Standards
    - 3 - 6 hens to promote ideal social interaction
    - Coop and run requirements (size, weather proofing, ventilation)
    - Urban Hen Keeping Course Certification
    - Documentation of mentor and veterinarian
    - Disease prevention checklist and hen care checklist
  - Process and Procedure Requirements
    - Licence document and conditions
    - Verification inspection
    - One-time fee; free annual renewal with inspection
    - Neighbour notification
    - Manual process
  - Compliance Requirements
    - Ticketing
    - Appeals to Community Standards Appeal Committee
  
3. Bylaw and regulatory preparation
  - Develop new Hen Keeping Bylaw
  - Amend Land Use Bylaw and Development Fees and Fines Bylaw
  
4. Staff training
  - Hen Keeping 101
  - Farm visit
  - Inspection 'drive-along'
  
5. Enforcement and Communications support

## **Resolution and Additional Clarity Requested at the April 15, 2024 Governance and Priorities Committee Meeting**

Administration has provided the following clarity to the hen keeping program regarding Council's resolution and questions.

### **1) THAT Committee recommend to Council to implement a pilot project for two years for the Hens Program.**

To implement a two-year pilot project for hen keeping, Administration has undertaken the following changes to the program:

- Reduced the Hen Keeping licencing fees to \$50 to reduce the cost to the applicant and offset the high startup costs.
- Provide a robust communications plan to ensure applicants are aware that it is a two-year pilot project, which could be cancelled.
- Applicants will be required to sign the application form and licence form acknowledging that the program is a two-year pilot.
- Provide notification to all Hen Keeping licence holders if the pilot program is cancelled and allow for up to six months for the removal of all Hens from the property.

### **2) Bring more clarity around the wording of 5.4(f) "double bagging", so that the process is known for what is done once the hen is double bagged.**

Administration updated section 5.4 (f) of the proposed Hens Bylaw to provide more clarity that deceased hens can be double bagged and placed in the garbage.

*"dispose of the carcass of a Hen deceased by natural causes, by double bagging and placing it in the garbage, or bringing it to a veterinarian, farm, abattoir, or other operation that is lawfully permitted to dispose of Hens pursuant to the Animal Health Act Disposal of Dead Animals Regulation (AR 132/2014)."*

### **3) Liability of cancelling a program and bylaw - gather a legal opinion on this.**

Administration obtained a legal opinion on the liability of cancelling a program and bylaw and were advised that "the risk of liability to the City should be very remote because the permission granted would be limited in duration and there is nothing inherently negligent about issuing a temporary approval and allowing a person to expend money in reliance upon that."

However, it was recommended that the City communicate the program expectations, and that participants be required to sign a written statement to the effect that:

- they acknowledge the program is a pilot project;
- the City has the discretion to terminate the project at any time or not to continue with the project; and

- that the participant is aware of the possibility of termination, and that the City will not be responsible for any costs incurred by the participant in relation to the project.

**4) Bring an update to Council regarding licence uptake after the Hen Program is in place for one year.**

Administration will bring an update to Council regarding the number of licences issued and other key measures of success and challenges in July of 2025.

**OPTIONS / ALTERNATIVES:**

Bylaw C-1313-24 is being brought forward for consideration of first and second reading. Council may choose to amend the bylaw or defeat the motion for second reading and choose to defeat this bylaw.

**CONSULTATION / ENGAGEMENT:**

Results from the Community Standards Bylaw *What We Heard* Report provided Administration with feedback from community responses to hen keeping and beekeeping within the city.

The jurisdictional scan guided further research; Administration explored options with similar sized municipalities. Inquiries were made to other municipalities regarding hen programs, internal processes, bylaw definitions, and lessons learned to inform the proposed options.

**IMPLEMENTATION / COMMUNICATION:**

Timelines for the Hen Keeping program are:

DATE	ACTION
March - April 2024	Finalize Hens Bylaw and other bylaw amendments and program details
April - May	Develop communications plan
April 15	Hens Bylaw and program presented to GPC
May 27 & June 10	Hens Bylaw and other bylaw amendments to Council for first, second and third reading
June	Launch program

A Communications Strategy is being developed to update the City’s website and social media tools with regard to the Hen Keeping Program.

**IMPACTS:**

The level of interest in hen keeping in the City is unknown. Other smaller and mid-sized communities have issued anywhere from one to over 100 licences.

Staffing requirements for developing the program and bylaw are estimated at 975 hours for three staff over six months.

Ongoing management of the program is estimated to require 65 - 70 hours per application including pre-application discussions through to licence issuance, inspections and potential appeal.

An additional licencing position would be required to support this program; they would also provide support for other licencing requirements (business, mobile vending).

**FINANCIAL IMPLICATIONS:**

Training costs are minimal, but the time and mileage for courses and farm / inspection visits is required. This can be covered through the Planning and Development department operational budget.

Personal protective equipment (PPE) is required for inspections and estimated at \$150 per staff person. It is expected the responsibility for this program will be shared by three to four staff. This can be covered through the Planning and Development department operational budget.

Funding to support initiatives approved through the Community Standards Bylaw work, as this program was approved by Council during spring budget adjustment.