

TOWN OF MUNDARE

BYLAW NO 939/22

The council of the Town of Mundare, duly assembled, hereby enacts

1. This bylaw may be referred to as the “Urban Beekeeping Bylaw”.

Part 2-Definitions

2. In this bylaw:
 - a. “Animal Health Act” means the Animal Health Act, SA 2007, CA-40.2 and any amending or succeeding legislation and associated regulations;
 - b. “Bee” means the insect *Apis mellifera* L., also known as honey bees;
 - c. “Bee Act” means the *Bee Act*, RSA 2000, c B-2, and any amending or succeeding legislation, and associated regulations;
 - d. “Beekeeper” means a person who owns and possesses Bees or beekeeping equipment or both;
 - e. “Hive” means beehive equipment inhabited by live Bees;
 - f. “Licencing Authority” means the CAO for an individual appointed by the CAO to issue Beekeeping Licences;
 - g. “Notification Area” means:
 - i. Area “A” as indicated on Schedule A-all properties that are within 30.5 m (100 feet) of the applicants property in all directions. For the distance calculation, the properties would be contiguous if not for a road, utility right of way or public utility lot;
 - ii. Area “B” as indicated on Schedule A-all owners of a residential, commercial or institutional building located with 76 metres (250 feet) of the hive(s) location.
 - h. “Provincial Apiculturist” means the individual designated as the Provincial Apiculturist in accordance with the *Bee Act*;
 - i. “Super” means a Bee Hive box which holds frames used for brood rearing or storing honey;

Part 3-Urban Beekeeping Licence

- 3.1 This Bylaw enables beekeeping as urban agriculture and no person shall own or keep Bees unless properly licensed in accordance with this Bylaw.
- 3.2 An Urban Beekeeping Licence is required for each property that has a Hive
- 3.3 An Urban Beekeeping Licence may not be issued to an individual under the age of eighteen (18) years.
- 3.4 Before the issuance of a licence pursuant to this part, the applicant must submit:
 - a. completed Urban Beekeeping Licence application form;
 - b. the appropriate licence fee;
 - c. any other additional information required by the Licensing Authority, including, but not limited to:
 - i. the name, address, and contact information of the Beekeeper;
 - ii. written permission from the registered property owner to install Hives on the property, where the Beekeeper is a renter;
 - iii. a drawing that shows the Hive location on the property, and either the associated setbacks or the location of solid fences or hedges;
 - iv. proof of success in urban beekeeping training from an accepted organization or association;
 - v. a disease and swarm control plan;
 - d. Provide proof of notification to all property owners within the notification area.
- 3.5 No person shall give false information when applying for an Urban Beekeeping Licence pursuant to this Urban Beekeeping Bylaw.
- 3.6 Beekeeping Licences shall not be transferable from one person or property to another.
- 3.7 The Urban Beekeeping licence fee is \$50.
- 3.8
 - a. The Licencing Authority may refuse to issue or revoke an Urban Beekeeping licence for whatever reason the Licencing Authority deems necessary:
 - b. All costs associated with relocating hives and bees will be the responsibility of the applicant/licencee.

Part 4-Notifications

- 4.1 The applicant must notify in writing, in a format approved by the Town, all the property owners in the notification area of the intention to apply for an Urban Beekeeping licence. The notification may be by mail, e mail, or in person.
- 4.2 The owners who receive notification as per section 4.1 have two weeks from the date of notification to provide any comments/concerns to the Town.

Part 5-Provincial Approval

- 5.1 Within thirty days of receiving the Urban Beekeeping licence, the licensee must provide proof of registration with the Provincial Apiculturist and a copy of the premises identification number pursuant to the Animal Health Act.
- 5.2 The licensee must provide proof of registration with the Provincial Apiculturist every year by June 30.

Part 6-Responsibilities of the Beekeeper

- 6.1 Beekeepers must comply with the *Bee Act* and the *Animal Health Act*.
- 6.2 Beekeepers, or the owner of any parcel of land on which the Bees are kept, must ensure:
 - a. good husbandry practices and maintenance to prevent swarming, aggressive behaviour, and disease; and
 - b. that adequate water is provided at all times for the Bees to deter the Bees from seeking water from alternate sources.

Part 7- Hive Requirements For Beekeeping

- 7.1 The number of hives allowed on a property is 2 with a maximum of four (4) Supers. The Hive must not measure more than 127 cm (50 in.) x 51 cm (20 in.) x 51 cm (20 in.).
- 7.2 Hives are restricted to the rear yard of a property.
- 7.3 Hive entrances are to be directed away from adjoining properties and sidewalks.
- 7.4 Hives are to be located:
 - a. a minimum of three (3) metres (10 feet) from all property lines; or
 - b. within a rear yard enclosed by a solid fence or hedge a minimum of 1.8 metres (6 feet) in height.

Part 8-General Regulations

- 8.1 Beekeeping in parks, reserve land, or on open spaces occupied or managed by the Town is not permitted.
- 8.2 The beekeeping licence is for personal use only. A business licence is required for the commercial sale of bee products.
- 8.3 This Bylaw does not relieve a person from complying with any Federal or Provincial law or regulation, other Town bylaw, or any requirement of any permit, order or licence.

Part 9-Enforcement

- 9.1 At any reasonable time, the Licensing Authority or a Peace Officer may enter upon any property in order to ascertain whether or not the provisions of this bylaw are being observed.
- 9.2 Should a beekeeping site, hive, or Beekeeper be found to be non-compliant with this bylaw at any time, the Beekeeping Licence may be revoked.
- 9.3 Should Hive(s) and Bees need to be relocated, all costs and associated expenditures related to the removal shall be the responsibility of the property owner/beekeeper.
- 9.4 A person who contravenes any provision of this Bylaw is guilty of an offence.
- 9.5 In the case of an offence that is of a continuing nature, a contravention of a provision of this bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues. A person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.
- 9.6 A Person who is guilty of an offence under this Bylaw is liable:
 - a. to a fine of \$250.00; or
 - b. on summary conviction, to a fine not exceeding \$10,000.00 or to an order of imprisonment for not more than 1 year, or both.
- 9.7 The Licencing Authority or a Peace Officer may issue, a Municipal Violation Tag specifying the fine amount.
- 9.8 Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.
- 9.9 A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket: specifying the fine amount established by this Bylaw or requiring an appearance in court without the option of making a voluntary payment.

Part 10-General

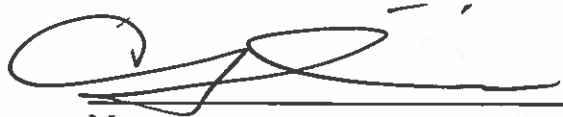
10.1 In the event that any provision of this bylaw is found to be contrary to law by any Court of competent jurisdiction then that provision shall be severed and the remainder of the bylaw shall be of full force and effect.

Read a first time on April 19, 2022.

Read a second time on May 17, 2022.

Read a third time on May 17, 2022.

May 19/22
Date



Mayor

MAY 19/22
Date



CAO

A

Schedule A

B

A



2017 Municipal Address Map



Base Map compiled from Provincial Cadastral Mapping
10 Degree Transverse Mercator Projection, Central Meridian 115 West, NAD 83 Datum
Alberta Data Partnership, January 2017
NOT RESPONSIBLE FOR ERRORS OR OMISSIONS

Town of Mundare Boundary

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