

TITLE IV MENTAL AND PHYSICAL HEALTH

CHAPTER 2 BEEKEEPING PROVISIONS

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4-2-1 PURPOSE. The purpose of this Ordinance is to establish requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of honey bees in populated areas, and to protect the health, safety and welfare of citizens.

4-2-2 DEFINITIONS AND USES. For use in this Ordinance, the following terms are defined:

1. "Apiary" shall mean a place where bee colonies are kept.
2. "Bee" shall mean any stage of the common domestic honey bee, *Apis Mellifera* Species.
3. "Beekeeper" shall mean a person who owns or has charge of one or more colony of bees.
4. "Beekeeping equipment" shall mean anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.
5. "Colony" shall mean a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.
6. "Hive" shall mean a structure intended for the housing of a bee colony.
7. "Tract" shall mean a contiguous parcel of land under common ownership.

4-2-3 HIVES. All bee colonies shall be kept in inspectable-type hives with removable combs, which shall be kept in sound and usable condition.

4-2-4 FENCING, GATES AND SIGNAGE. All hives shall be enclosed by fencing with a secure gate and prominent signage warning of the presence of a hive and the beekeepers name and

phone number. Fencing shall be six (6) feet in height and consist of a solid wall, fence or a combination thereof.

4-2-5 WATER. Each beekeeper shall ensure that a convenient source of water is available to the bees at all times during the year so that bees will not congregate at swimming pools, bibcocks and faucets, pet watering bowls, bird baths or other sources of water where they may cause human, bird or domestic pet contact. The water shall be maintained so as not to become stagnant.

4-2-6 GENERAL MAINTENANCE. Each beekeeper shall ensure that no bee comb or other materials that might encourage theft or mischief are left upon the grounds of the apiary site. Upon their removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

4-2-7 QUEENS. All colonies shall be maintained with marked queens. In any instance in which a colony exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation, or exhibits an unusual disposition toward swarming, it shall be the duty of the beekeeper to promptly re-queen the colony. Queens shall be selected from stock bred for gentleness and non-swarmer characteristics.

4-2-8 COLONY DENSITIES. There shall be no more than eight (8) colonies on any tract of land regardless of tract size. For each two colonies authorized there may be maintained one (1) nucleus colony in a hive structure not exceeding 9 5/8 inch depth 10-frame hive body with no supers attached as required from time to time for management of swarms. Each such nucleus colony shall be disposed of or combined with an authorized colony within thirty (30) days. Notwithstanding any portion of this Ordinance to the contrary, no beekeeper may own or control more than eighteen (18) active colonies inside the city limits. Furthermore, once per year a beekeeper may splice one (1) colony into two (2) colonies for a period of no longer than thirty (30) days for colonization purposes, without otherwise offending this Ordinance.

4-2-9 NOTICE. In addition to signage requirements of this ordinance, the beekeeper shall specifically provide written notice to the owners of adjacent properties of the presence of bees, such notice to include a telephone number where the beekeeper can be easily reached.

4-2-10 INSPECTION. The Mayor, or his/her designee, shall have the right to inspect any apiary. The Mayor, or his/her designee, shall attempt to provide 24-hour notice to the beekeeper prior to inspection, except that no notice shall be required in the case of emergency as determined by the Mayor or her/her designee.

4-2-11 TRAINING. Persons keeping bees within city limits shall be required to furnish proof of completion of a course or education satisfactory to the City regarding bee management, health and public safety.

4-2-12 ANNUAL LICENSING. Beekeepers shall complete a written application to apply for a City Beekeeping License prior to bringing any colony into the city. For bee colonies existing within the city prior to the effective date of this ordinance, beekeepers shall have two weeks from the

publication of this ordinance to apply for a City Beekeeping License. Applications shall be submitted to the City Clerk together with an application fee of \$25.00, after which such application shall be presented to the City Council for approval. The applicant shall prove to be in compliance with all sections of this ordinance and certify they have insurance coverage for such beekeeping activity and shall agree to defend, indemnify and hold the City harmless from any claims arising out of the applicant's keeping of bees. City Beekeeping Licenses shall be good for one calendar year, after which time the beekeeper shall reapply for a City Beekeeping License if he/she desires to continue the practice of beekeeping.

4-2-13 COMPLIANCE. Upon receipt of information that any colony situated within the city is not being kept in compliance with this ordinance, the Mayor or his designee shall initiate an investigation. If he finds grounds to believe one or more violations have occurred, he will declare the property a nuisance and follow the guidelines set forth in Chapter 2 of the Code of Ordinances to begin the abatement process.

4-2-14 PROHIBITED. The beekeeping by any person of bee colonies in the city not in compliance with this ordinance is prohibited and unlawful. Any bee colony not residing in a hive structure intended for beekeeping, or any swarm of bees or colony residing in a standard or homemade hive which, by virtue of its condition, has obviously been abandoned by the beekeeper, is unlawful and may be summarily destroyed or removed from the municipality by an appropriate designee. The beekeeper will have twenty (20) days from the time of the complaint to bring the hive/hives into compliance.

4-2-15 VIOLATION AND FINES. Any person violating the provisions of this Ordinance shall be charged with a simple misdemeanor and fined for each offense in accordance with the civil penalties for municipal infractions as provided in this Code of Ordinances, and a separate offense shall be deemed committed upon each and every day such violation continues. Violation of this Ordinance may result in the revocation of the City Beekeeping License, and may further be considered by the City Council in determining the renewal of any City Beekeeping License.

