




## STAFF REPORT

**Date:** May 13, 2014  
**To:** City Council  
**From:** Bryan Montgomery, City Manager   
**SUBJECT:** Discussion and Direction regarding allowing Beehives in Residential Zones

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### **Background and Analysis**

At the June 12, 2012 City Council Meeting, the Council discussed the pros and cons to allowing beehives in residentially-zoned areas and Mayor Pope has requested that the matter be discussed again at this meeting. Currently, the Oakley Municipal Code only allows beehives in agriculturally-zoned areas. The Staff Report for and the Minutes from that Meeting are attached. Also attached are ordinance provisions from some nearby cities relating to beehives.

Since June of 2012 we have been tracking the number of calls/complaints related to bees. We have had 6 calls of concern relating to nesting bees, 3 of those this year. Only 1 complaint has been recorded relating to the intentional keeping of beehives. It was determined that the property owner with the beehives was not located in a zone that was permitted for beehives and the 50 beehives on that property were voluntarily removed.

### **Fiscal Impact**

To be determined

### **Recommendation**

Discuss and provide direction to Staff regarding any modifications to the Oakley Municipal Code regarding beehives.


### **Attachments**

1. June 12, 2012 Staff Report
2. Minutes from June 12, 2012 Meeting
3. Ordinance samples from some nearby cities



Attachment 1

## STAFF REPORT

**Date:** June 12, 2012  
**To:** City Council  
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### Background and Analysis

Councilmember Pope has discussed at a previous Council Meeting the concept of revising the Oakley Municipal Code to allow beehives in residential zoning districts (currently, beehives are only allowed in agriculturally-zoned areas), and has presented the attached draft ordinance for the Council's comment and direction.

### Fiscal Impact

To be determined

### Recommendation

Discuss the proposal and provide direction to Staff regarding the possible development of an ordinance addressing residential beehives.

### Attachment

1. Draft Ordinance language

**Residential Beehives** -- proposed amendment to Section 9.1.404 b. of the *Oakley Municipal Code*

**WHEREAS**, bees are highly beneficial to society as they provide agriculture, fruit and garden pollination services; and

**WHEREAS**, bees, via pollination, are responsible for 15 to 30 percent of the food eaten by U.S. consumers; and

**WHEREAS**, bees further benefit society by producing honey, wax, and other useful products; and

**WHEREAS**, the domesticated honeybee population, on which most farmers depend for pollination, has declined by about 50 percent; and

**WHEREAS**, many domestic strains of bees have been bred for desirable traits, including gentleness, honey production, reduced swarming, pollination attributes, and other characteristics which are desirable to foster and maintain; and

**WHEREAS**, gentle strains of bees can be maintained within populated areas without causing a nuisance if properly located, managed, and maintained.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLEY DOES HEREBY ORDAIN AS FOLLOWS:**

Section 9.1.404 b. of the Oakley Municipal Code is hereby amended to read as follows:

13) Bees

a) Definitions

i) "Bee" shall mean any stage of the common domestic honey bee, *Apis Mellifera* species.

ii) "Hive" shall mean a structure for the housing of a bee colony.

iii) "Requeen" means to replace the queen bee in a colony with a younger and more productive queen, a common practice in beekeeping to prevent bee swarming.

b) General Requirements

i) Hives may only be maintained on single-family residential property.

ii) No more than two hives may be maintained on any single-family residential property.

iii) All bee colonies shall be kept in inspectable hives consisting of moveable frames and combs.

iv) Hives must be kept in sound and usable condition at all times.

c) Hive Placement Requirements

i) Hives shall be located at least 25 feet from all property lines, or

ii) screened so that the bees must fly over a six-foot barrier, which may be vegetative, before leaving the property, or

iii) be placed at least eight-feet above the adjacent ground level.

d) Hive Management Requirements

i) Hives shall be continually managed to provide adequate living-space for their resident bees to prevent swarming.

ii) Hives shall be requeened at least once every two years to prevent swarming.

iii) A water source for bees shall be provided at all times on the property where the bees are kept to discourage bee visitation at swimming pools, hose bibs and other water sources on adjacent public or private property.

iv) Hive maintenance materials or equipment must be stored in a sealed container or placed within a building or other bee-proof enclosure.



# HONEY BEE STINGS

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FACTS AND COMMON MISCONCEPTIONS

AUGUST 24<sup>TH</sup>, 2011  
MAR VISTA COMMUNITY COUNCIL MEETING

Roberta Kato, MD  
Board Certified in Pediatrics and Pediatric Pulmonology



# FACTS

- Why honey bees sting
- Honey bee stinger anatomy
- What happens to the honey bee
- What happens to the person
- Frequency of stings
- Common reactions
- Concerning reactions
- First aid after a sting



# Why know about honey bee stings?

- Honey bees are everywhere
- People are stung in their day to day life
- At home, at the park, at school
  
- Knowledge is the best cure for fear

# Why do bees sting?

- Purposefully: To defend the hive
  - When a person is “too close” to a hive (move away)
  - When a person is disturbing a hive (don’t disturb a hive)
- Accidentally: They are stepped on or swatted
- A dead bee’s stinger still works

## Misconceptions

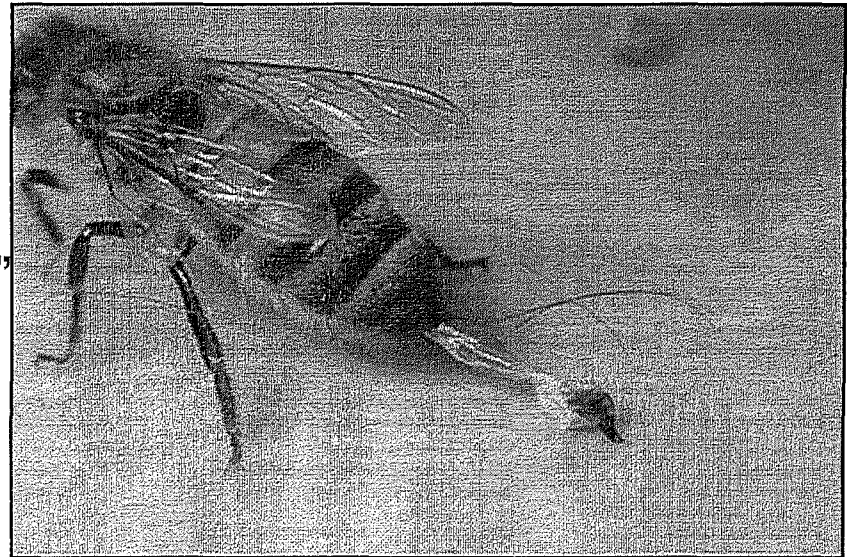
- “Bees like the way I smell.”
- “Bees don’t like me.”
- “A swarm of bees is dangerous.”

# The Stinger

- Female bees sting
- Queen can sting many times
- Workers, guards can sting only once
- The stinger is a modified ovo depositor
- The stinger is attached to the intestinal tract

## Misconceptions

- “A bee stung me many times.”
- “A bee bit me.”





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# What Happens to the Bee?

- The stinger is pulled out with the honey bee's intestines
- The honey bee becomes dehydrated
- The honey bee dies
- The stinger will continue to pump venom

## Misconceptions

- "The same bee keeps stinging me."
- "I was stung multiple times by a bee."

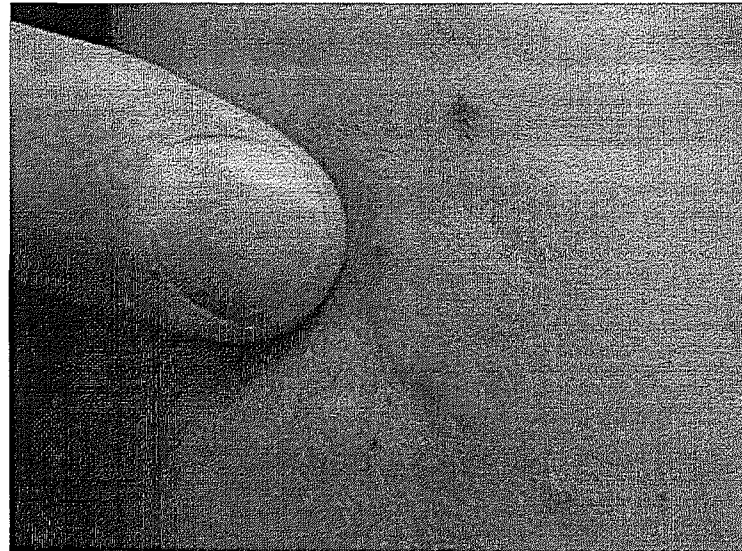
# Common Reactions to a Sting

Apitoxin (histamine, acidic toxin, pheromones)

- Pain (like a paper cut)
- Redness (histamine)
- Warmth
- Swelling
- Itching

Misconceptions

- “I’m allergic.”
- “I was stung by a bee.”





# Concerning Reactions: Call 911, use an EpiPen if available

- Redness greater than 10 cm (dinner plate)
- Difficulty breathing
- Tightening of the throat
- Nausea and vomiting
- Symptoms before being stung
- Chest pain

## Misconceptions

- “I’m going to die.”

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# Serious Medical Reactions

- 30 hymenoptera stings a year lead to death
- Honey bees account for possibly 1- 2 of these a year
- More problematic for the elderly and ill
- Increased problems if dehydrated

## Misconceptions

- “Africanized bees sting people to death”

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# First Aid for Stings

- Remove the stinger (scrape, don't pull)
- Wash the site with soap and water
- Apply ice or a towel with cold water
- If it hurts use Tylenol or Motrin as directed
- If it itches use an antihistamine or Calamine lotion
- Rub meat tenderizer or baking soda rub into the sting

# LEGALIZE BEEKEEPING IN NYC!



**Question: What do cities like Atlanta, Chicago, Denver, Minneapolis, Portland, San Francisco, Seattle, Toronto, and Vancouver have that NYC does not?**

**Answer: Legalized beekeeping.**

Bee keeping is currently illegal in New York City. The New York City Health Code under Section 161.01 prohibits the possession, keeping, harboring and selling of "wild animals." This statute seems reasonable and certainly necessary until its ban on "all venomous insects" outlaws' bees.

Honeybees are garden heroes! Honeybees help gardens grow more fruit and vegetables and produce sweet honey. They are nature's best pollinators and contribute to productive harvests in community gardens, public parks and nature centers.

This fact sheet asserts the many benefits of honeybees, highlights legal beekeeping initiatives in other cities, addresses misconceptions about the dangers of honeybees, and proposes the New York City Department of Health amend their code and thereby lift its ban on beekeeping.

## **Beekeeping Benefits Public, Economic and Environmental Health**

- **Local Food Production:** Honeybees are pollinators and urban beekeeping can contribute to greater productivity in NYC's community gardens, botanical gardens and public parks.
- **Small Business/Economic Development:** One colony of bees can yield anywhere between 30-150 pounds of honey, as well as honeycomb, beeswax, pollen and royal jelly for sale. With a market value of at least \$10-\$12 per pound, honey sales can contribute significantly to a beekeeper's supplemental income. Beekeeper cities such as San Francisco, Savannah and Chicago are forming small business enterprises that feature honey along with value-added products (lotions, soaps).
- **Job/Youth Training:** Beekeeping programs across the country provide job skills and training to youth and the unemployed in production, sales, marketing and management.
- **Education:** Beekeeping provides a rare opportunity for urban school children to connect with how and where food is produced. The United States Department of Agriculture and North American Pollinator Protection Campaign have a curriculum to teach children the importance of pollinators.
- **Health/Nutrition:** Pollination is critical to the success of agricultural crops grown in NYC's 600+ community gardens and urban farms, which create increased access to healthy produce in many of the city's most underserved areas. Further local honey contains small amounts of pollen from local plants, and has helped individuals build immunity to these pollens and aid in alleviating allergies.
- **Biodiversity:** As pollinators, honeybees contribute to the production of fruits, vegetables, and seeds. In turn, they further contribute to the health and biodiversity of an urban environment by providing a food source for birds and other insects.
- **Increased safety:** Beekeeping is happening in NYC. Legalization will increase registration and inspection with the New York Department of Agriculture and Markets and allow for the open adoption of widely used guidelines for beekeeping.

## **Beekeeping Success in Other Cities**

Many cities permit regulated beekeeping. Each city has taken different steps to regulate their tenets of apiculture. They ensure that beekeeping does not interrupt or harm city life but instead acts as a benefit for human, economic, and environmental health.

In Chicago, the City Hall and Chicago Cultural Center has six well-kept hives on their rooftops as an element of their city's aggressive greening initiative, value-added products are sold at local markets and national chains such as Whole Foods, and an employment program uses urban beekeeping to create jobs for low-income residents and formerly incarcerated individuals, teaching job skills in production, sales, management and marketing.

San Francisco has included beekeeping in public spaces as part of its "Plan for a Sustainable City," and has set a goal of having five percent of all honey consumed in San Francisco be produced in the city. Incidentally, New York State permits beekeeping. Under its Apiary Policy, all beekeepers are required to register their hives with the New York Department of Agriculture and Markets.

### **Safety**

The most common concern about honeybees is bee stings. Honeybees are not aggressive by nature and are unlikely to sting. Only 0.4% of Americans report an allergy to insect stings in the U.S., and almost none of these are caused by honeybees. In addition, less than 1% of the US population is at risk of systemic reaction to stings by honeybees. Severe reactions from the sting of any one insect in a year are 1 in 5,555,556. The chance that someone will be hit by a car is 59.3% higher.

The inclusion of honeybees as "wild animals" and "venomous insects" in the NYC Health Code is misdirected as they are not wild, and there are fundamental differences between honeybees, a member of the apid family, and other related insects, such as wasps, yellow jackets, and hornets, part of the vespid family. Honeybees are vegetarians who only eat nectar, have been domesticated for millennia for their passivity, and is the only one of these insects which provides life-giving pollination.

### **Honeybees in Crisis**

The survival of honeybees is currently at risk. In the winter 2006-2007, an average colony loss of 38% was reported by U.S. beekeepers. Many of these losses were linked to Colony Collapse Disorder (CCD), which has become such a serious issue that Senate passed the Pollinator Habitat Protection Act of 2007, which was co-sponsored by Senator Clinton and designates pollinator protection as a "national priority resource concern." The Pollinator Protection Act of 2007 also stresses the important role that pollinators, especially honeybees, play in pollinating many important U.S. crops. New York City can be a part of the solution and encourage apiculture in order to mitigate the spread of CCD.

### **A Proposal for Change**

Just Food proposes that honeybees be removed from Health Code 161.01. In turn, utilizing the regulation and inspection services of the state Apiary Policy will surely benefit the city's public, economic and environmental health and its gardens and open, green spaces.

A free hive registration and inspection process already exists with the state Department of Agriculture and Markets, and an inspector is already designated to the New York City region.

Just Food, with experience organizing communities around food production in NYC, is prepared to implement an urban beekeeping program which includes training, guidelines for beekeeping and the provision of emergency sting kits. Just Food will provide resources, educational materials and support to the community gardens and institutions that have expressed a desire to keep bees.

### Urban Beekeeping - City Comparison Matrix (by HoneyLove.org)

City	Type of property	Number of Hives	Registration / Permit Agency	Placement	Barrier	Prevent Swarming	Re queening	Water Source	Maintenance Materials	Definition of Nuisance	Penalties
Chicago	Single-Family Residential	5	Register with Illinois Department of Agriculture								
Denver	Single-Family Residential	2		rear portion of lot with 5' clearance from property line	6' barrier (vegetative barriers OK)				No storage of any beekeeping equipment or materials not in use		
New York	Single-Family Residential		File notice with Department of Health and Mental Hygiene and complete State Survey	locating hives where movement of bees does not become an animal nuisance.	(see placement)	(see nuisance)	-	Provide constant and adequate water source	-	aggressive or objectionable bee behaviors; hive placement or bee movement that interferes with pedestrian traffic or persons residing on or adjacent to the hive premises; overcrowded, deceased or abandoned hives.	-
Salt Lake City	Residential	5 (10 if property is larger than 1/2 acre)	Register with Department of Agriculture and Food	Side yard or rear yard - Hives placed 5 feet from any property line and 6 inches above the ground	6' barrier if within 15 feet of property line			Provide water between March 1st and October 31st	Stored in a sealed container or placed within a building or other bee-proof enclosure		Civil notice of violation to such violator in lieu of a misdemeanor citation
San Diego	Single-Family Residential	2 (pale color hives)	San Diego County Agricultural Commissioner	15 feet from off-site residential structures, and 20 feet from the right of way and faces the most distant property line.	The hives must be in a secured area not visible from the public right of way and surrounded by six foot high screens or be at least eight feet above grade.		at least once every two years	Maintained within 10 feet - equipped with a float valve or similar device			
San Francisco	Single-Family Residential	40	\$10 Registration required each year								
Santa Monica	Single-Family Residential	2	City's Animal Control Office	5 feet from property lines or 8 feet above adjacent ground level - hive entrance facing away from or parallel to the nearest property line(s)	six-foot barrier (vegetative ok)	Provide adequate living-space to prevent swarming	Every 2 years	provided at all times on the property where the bees are kept	Stored in a sealed container or placed within a building or other bee-proof enclosure	Exhibit defensive or objectionable behavior, interfere with the normal use of neighboring properties, swarming, do not conform to code, abandoned hives.	Guilty of an infraction= fined no more than \$250, guilty of a misdemeanor= \$1,000, no more than 6 months in county jail...
Seattle	Residential, Multi-Family	4+	Register with the State Department of Agriculture each year	25 feet from any property line except when situated 8 feet high or when situated less than 8 feet above the adjacent existing lot grade and behind a solid fence or hedge 6 feet high parallel to any property line within 25 feet of a hive and extending at least 20 feet beyond the hive in both directions.	(see placement)	Adequate living-space required to prevent overcrowding or swarming	Following any swarming or aggressive behavior			Bees living in trees, buildings, or any other space except in movable-frame hives; abandoned colonies; or diseased bees	Not to exceed \$100.00



## 6.0 REPORTS

### **6.1 CITY MANAGER**

City Manager Bryan Montgomery mentioned that City staff has been working with Vintage Parkway residents to perform neighborhood clean ups. He announced the next neighborhood clean up will be Saturday, June 16 at 8 a.m. at Big Break and Vintage Parkway. He mentioned the City held a successful Movie-in-the-Park night Saturday, June 9 and will hold another movie night Saturday, June 16. He announced the Cityhood Celebration will be held Saturday, July 7. He also mentioned that the Lighting and Landscape hearing will not occur tonight, but will be held June 26 at the Regular Joint Meeting of the Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency.

### **6.2 OAKLEY CITY COUNCIL/OAKLEY CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE OAKLEY REDEVELOPMENT AGENCY**

#### **(a) Discussion Regarding Allowing Residential Beehives (Randy Pope, Councilmember)**

Councilmember Pope led the discussion and mentioned that Oakley is one of the last cities not to allow bees in residential areas. He mentioned other cities (i.e., Chicago, Denver, San Francisco, New York, Seattle) allow residential beehives and that the City of Los Angeles is considering a one-year pilot program to allow residential beehives. He explained that there is often a misconception about bees and the bees in Oakley are docile types. He mentioned that feral beehives can exist even in the absence of controlled residential beehives and that there are a very low percentage of people who are stung or that would die from being stung by bees. He mentioned that persons with severe allergic reactions to bees should carry epi-pens regardless of residential beehives being allowed or disallowed. He requested input from the public and City Council to allow residential beehives. After receiving input from the City Council, he mentioned he does not want City staff to license beehives, but would rather have the County license the bees. He announced he is in favor of allowing residential beehives in Oakley and would like the current language in the Oakley Municipal Code that disallows residential beehives struck from the Code.

City Manager Bryan Montgomery requested direction from the City Council. He mentioned the City Council could decide to keep the current language in the City's Municipal Code and not allow residential beehives and City staff would respond on a complaint basis. He mentioned if there is an increase in complaints, City staff could bring the matter before the City Council again for direction.

Mayor Romick announced that eighteen comment forms were received online in favor of residential beehives and four public comment cards were received opposing residential beehives. He read aloud comments submitted by Doug Scheer, Tammy Gonis, Donna Lagano, Tiffany Tackett and Nicole Implogisao. He mentioned that he is in favor of residential beehives and that City staff and the City Council should be able to draft an ordinance that would allow residential beehives without having the City acting as the bee police.

Councilmember Anderson mentioned only seven of the eighteen online comment forms received were from Oakley residents. She announced if the City Council should decide to move forward with an ordinance for residential beehives that she would like to recommend language and requirements to include. She mentioned her preference is not to move forward with an amended ordinance to allow residential beehives, but to let the current prohibition of residential beehives stand, and for City staff to monitor any complaints.

Councilmember Frazier announced he was not in favor of amending the current ordinance to allow residential beehives. He inquired which cities in Contra Costa County have ordinances allowing residential beehives and also what the content of the complaints were that the City has received. City Manager Bryan Montgomery responded that he is aware that the City of Concord has such an ordinance within a lot size limitation, but perhaps Councilmember Pope may have additional information. City Manager Bryan Montgomery explained the content of the two complaints the City received that he was aware of and mentioned he was not certain whether the bees mentioned in the complaint were from feral beehives or from man-made, residential beehives. Councilmember Frazier requested City staff track the number of complaints received.

Vice Mayor Rios mentioned she does not want the City to amend the current code to permit residential beehives and that she does not want City staff time spent policing residential beehives, but would rather the County do so as it has the resources. She suggested if residential beehives become a nuisance that they be dealt with under the City's nuisance code. She recommended City staff provide the community with information that the County already has a process for beehives. She suggested the City Council revisit the discussion in one year.

**(b) Reports from Council Liaisons to Regional Committees, Commissions and Boards AND Oakley City Council/Oakley City Council Acting as the Successor Agency to the Oakley Redevelopment Agency Comments**

Councilmember Anderson announced she attended a photo opportunity with Cub Scout Pack 152 at Creekside Park on Saturday, June 9 for the City's Adopt-A-Park program. She provided her condolences to firefighter William West and mentioned he has left behind a proud community.

## Ordinances from Nearby Cities regarding Keeping of Bees - 2014

### Antioch

#### § 6-1.24 KEEPING ANIMALS AND BEEES.

- (A) It shall be unlawful for any person to keep or maintain any horse, mule, cow, sheep, goat, pig, or wild or other dangerous animal, except dogs and cats and other household pets, within the city, except in an enclosed area of not less than three-fourths of an acre, and then only with the consent of the Animal Control Officer who shall consider the application using the procedure described in division (B) of this section.
- (B) (1) It shall be unlawful for any person, other than a licensed dog fancier, to keep or maintain more than three dogs which are required to be licensed at any residence in the city.
- (2) *Exceptions.* More than three dogs may be allowed upon procuring a commercial kennel license or obtaining the consent of the Animal Control Officer. The Animal Control Officer shall conduct a public hearing on such application with notice given pursuant to this code. Such consent may be revoked at any time in the discretion of the Animal Control Officer.
- (C) It shall be unlawful for any person to keep or maintain more than 10 each of ducks, geese, chickens, or other fowl; however, the total number of fowl or animals specified in divisions (A), (B), and (D) of this section may not exceed 15. Fowl shall be kept in enclosures located a minimum of 20 feet from any dwelling, church, or school. Such enclosures shall be maintained in a clean manner. Such ducks, geese, chickens, or fowl shall not be permitted to create a public nuisance, as defined in this chapter or in Cal. Civ. Code § 3480.
- (D) Not more than 10 domesticated rabbits may be kept within the city, and their cages and runs shall be kept clean so as to avoid a public nuisance, as specified in division (C) of this section.
- (E) It shall be unlawful for any person to maintain or keep any bees, except in an agricultural or open space zoning district, without a permit from the Animal Control Officer. Such permit shall be considered in the manner specified in division (B) of this section. ('66 Code, § 6-1.24) (Ord. 446-C-S, passed 8-7-80) Penalty, see § 6-1.52

### Brentwood

#### **17.410.004 Regulations for lot area, density, yards, height and related matters.**

The following regulations shall apply to the A-10 zone:

- A. Minimum lot area: ten acres;
- B. Minimum lot width: three hundred feet;
- C. Minimum front yard: fifty feet;
- D. Minimum side yard: twenty-five feet;
- E. Minimum rear yard: fifty feet;
- F. Yards—accessory buildings and structures:
  1. Minimum setback from main building: eight feet except for accessory buildings housing animals or livestock which shall be set back thirty feet,
  2. Minimum rear yard: twenty feet,
  3. Minimum side yard: ten feet,
  4. No accessory building or structure housing animals, grain-fed rodents, bees, birds or poultry shall be located nearer than fifty feet of any residential land use district or a main building on an adjacent lot;
- G. Maximum Building Height. No accessory or main building shall exceed a height of two-and-one-half stories or thirty-five feet, unless a greater building height is approved by a conditional use permit;
- H. Architectural features may project into any required yard pursuant to Chapter 17.660. (Ord. 408, 1987)

**17.420.004 Regulations for lot area, density, yards, height and related matters.**

The following development regulations shall apply to the A-20 zone:

- A. Minimum lot area: twenty acres;
- B. Minimum lot width: five hundred feet;
- C. Minimum front yard: fifty feet;
- D. Minimum side yard: twenty-five feet;
- E. Minimum rear yard: fifty feet;
- F. Yards—accessory buildings and structures:
  - 1. Minimum setback from main building: eight feet except for accessory buildings housing animals or livestock which shall be set back thirty feet,
  - 2. Minimum rear yard: twenty feet,
  - 3. Minimum side yard: ten feet,
  - 4. No accessory building or structure housing animals, grain-fed rodents, bees, birds or poultry shall be located nearer than fifty feet of any residential land use district or main building on an adjacent lot;
- G. Maximum Building Height. No accessory or main building shall exceed a height of two-and-one-half stories or thirty-five feet, unless a greater building height is approved by a conditional use permit. (Ord. 408, 1987)

**17.430.005 Regulations for lot area, density yards, height and related matters.**

The following regulations shall apply to the AP zone:

- A. Minimum lot area: twenty acres;
- B. Minimum lot width: five hundred feet;
- C. Minimum front yard: fifty feet;
- D. Minimum side yard: twenty-five feet;
- E. Minimum rear yard: fifty feet;
- F. Yards—accessory buildings and structures:
  - 1. Minimum setback from main building: eight feet except for accessory buildings housing animals or livestock which shall be set back thirty feet,
  - 2. Minimum rear yard: twenty feet,
  - 3. Minimum side yard: ten feet,
  - 4. No accessory building or structure housing animals, grain-fed rodents, bees, birds or poultry shall be located nearer than fifty feet of any residential land use district or a main building on an adjacent lot;
- G. Maximum Building Height. No accessory or main building shall exceed a height of two-and-one-half stories or thirty-five feet, unless a greater building height is approved by a conditional use permit. (Ord. 408, 1987)

**Concord**

**Chapter 6.15**

**BEES**

6.15.010 Definitions.

6.15.020 Keeping of bees.

6.15.030 Identification of hives.

**6.15.010 Definitions.**

*Apiary.* Includes bees and hives wherever they are kept, located, or found.

Bees. Honey-producing insects of the genus Apis. It includes all life stages of such insects.

*Hive.* Any receptacle or container, or part of any receptacle or container, which is inhabited by a live colony of bees. (Code 1965, § 5700; Code 2002, § 10-71. Ord. No. 942) Cross references: Definitions generally, § 1.05.100.

### **6.15.020 Keeping of bees.**

It shall be unlawful for any person to keep bees or maintain an apiary in the city, except under the following conditions:

- (1) No more than two hives to every parcel or lot of land under 10,000 square feet in area; provided, that for every 10,000 feet in excess of 10,000 square feet, there may be one additional hive;
- (2) No hive shall be kept or maintained within 25 feet of any property line of the lot or parcel upon which it is situated; and
- (3) The front property line for the purposes of subsection (2) herein shall be defined as the sidewalk boundary furthest from the street. (Code 1965, § 5701; Code 2002, § 10-72. Ord. No. 942)

### **6.15.030 Identification of hives.**

Every person maintaining bees on the premises shall identify the bee hives by affixing and maintaining a sign on the entrance to such person's property showing the name of the owner or person in possession of same, and his address and telephone number, or a statement that he has no phone. The sign shall be lettered in black at least one inch in height on a white or light background. (Code 1965, § 5701; Code 2002, § 10-73. Ord. No. 942)

## **Danville**

32-36.5 Yards.

a. *Yard; Side.* There shall be an aggregate side yard width of at least thirty-five (35') feet. No side yards shall be less than fifteen (15') feet wide. These minima may be reduced to three (3') feet for an accessory building or structure if it is set back at least sixty-five (65') feet from the front property line. No barns, stables, apiaries, aviaries, or other buildings or structures used to house livestock, grainfed rodents, bees, birds, or poultry shall be located in this district nearer than fifty (50') feet to the boundary line of any residential land use district.

## **Pinole**

6.04.060 CERTAIN ANIMALS CONDITIONALLY PERMITTED.

It is lawful to keep animals listed in this section which are in conformance of all provisions of this chapter and all other pertinent state and federal laws.

A. Bees.

1. Minimum lot size: twenty thousand square feet;
2. Maximum number of hives or apiary: one hive or apiary for each ten thousand square feet of lot area;
3. No hive or apiary shall be kept or maintained within twenty-five feet of any property line.

## **Pittsburg**

### **Chapter 7.08 ANIMALS, FOWL AND BEES<sup>1</sup>**

Sections:

7.08.010 Intent and purpose.

7.08.020 Definitions.

7.08.030 Keeping of livestock, fowl and bees restricted.

7.08.040 Number of dogs and cats restricted.

**7.08.010 Intent and purpose.**

The purpose of this chapter is to establish standards for the keeping of livestock, animals, fowl and bees in a manner which will not endanger the health, peace and safety of the citizens of the city and which will assure that the livestock, animals, fowl and bees are kept in a clean and sanitary condition and not subjected to suffering, cruelty or abuse. [Ord. 1025 § 1, 1991.]

**7.08.020 Definitions.**

In this chapter, unless the context otherwise requires:

"Animal" means any domestic animal (such as, without limitation, a dog or cat), and includes livestock and fowl.

"Coop" means a covered enclosure for the shelter of fowl.

"Fowl" means a domesticated chicken, duck, goose, guinea fowl, peafowl, turkey dove, pigeon, game bird or similar bird intended for human consumption or for the production of eggs for human consumption.

"Livestock" means any domestic animal such as a cow, donkey, mule, burro, horse, sheep, goat, pig, hare or rabbit, but excluding a pot belly pig or an animal kept by a public or private school for educational purposes.

"Stall" means a covered enclosure or shelter, barn, stable or other outbuilding for the shelter of livestock. [Ord. 1025 § 1, 1991.]

**\* 7.08.030 Keeping of livestock, fowl and bees restricted.**

No person may keep livestock, fowl or bees within the city except where allowed under PMC Title 18. [Ord. 1025 § 1, 1991.]

**7.08.050 Keeping near dwelling prohibited.**

No person may keep or allow to be kept on premises owned, occupied or controlled by him, livestock, fowl or bees within 50 feet of a dwelling unit or within 25 feet of any property line. [Ord. 1025 § 1, 1991.]

**7.08.060 Nuisance prohibited.**

No person may keep an animal in such a way as to create a nuisance or disturb residents in the neighborhood by noise, odor or damage to nearby property or interfere with the enjoyment of property by its owners or residents. [Ord. 1025 § 1, 1991.]

**\* 7.08.080 Noncommercial beekeeping.**

No person may keep or maintain more than two hives of bees for noncommercial purposes on a lot or parcel of land. [Ord. 1025 § 1, 1991.]

**7.08.090 Premises inspection.**

The city health officer or his agent may inspect the premises where livestock, fowl or bees are kept for compliance with this chapter. [Ord. 1025 § 1, 1991.]