

ORDINANCE NO. 2015

AN ORDINANCE AMENDING TITLE 6 ANIMALS TO ALLOW BEEKEEPING WITHIN THE CITY LIMITS

RECITALS:

- A. The City Wide Strategic Plan recognizes the importance of agriculture to the City's economy both past and future. Maintaining opportunities for small scale agriculture is identified as a strategy for protecting agricultural land and managing Growth.
- B. Small scale urban agriculture, including beekeeping, provides opportunities for residents to continue the tradition of producing locally grown food products while supporting the presence and health of local honeybee populations.
- C. It is the purpose and intent of this ordinance to provide for the safe and orderly keeping of bees in the City of Central Point by establishing certain minimum standards for the keeping of bees to protect the public health, safety and welfare of the residents of the City of Central Point.
- D. Words ~~lined through~~ in the following ordinance are to be deleted and words in **bold** are added.

The people of the City of Central Point do ordain as follows:

Section 1. A new Chapter 6.05 Bee Keeping is hereby added to read as follows:

**Chapter 6.05
BEE KEEPING**

- 6.05.010** **Definitions**
- 6.05.020** **Bee Keeping**

6.05.010 Definitions

“Apiary” and “apiary property” includes bees, honey, beeswax, bee comb, hives, frames and other equipment, appliances and material used in connection with an apiary.

“Bees” means honey-producing insects of the genus Apis and includes the adults, eggs, larvae, pupae or other immature stages thereof, together with such materials as are deposited into hives by their adults, except honey and beeswax in rendered form.

“Beekeeper” includes any individual, partnership, association or corporation, but does not include any common carrier when engaged in the business of transporting bees, hives, appliances, bee cages or other commodities which are the subject of this chapter, in the regular course of business.

“Colony” or **“colonies of bees”** refers to any hive occupied by bees.

“Disease” means pests, diseases or any condition affecting bees or their brood

“Hive” means any receptacle or container made or prepared for use of bees, or box or similar container taken possession of by bees.

“Honeycomb” means a mass of hexagonal wax cells built by bees to contain their brood and stores of honey.

6.05.020 Bee Keeping

The keeping or maintaining of bees, colonies of bees, hives, honeycombs, or containers of any kind of character wherein bees are hived is subject to the following:

- A. Registration with the city is required prior to establishing any hive or other beekeeping activity on any lot or parcel within the city limits and the Director of Community Development shall provide a beekeeping application and registration process.**
- B. Number of Hives Permitted**
 - 1. A maximum of three (3) bee hives shall be kept or maintained on a lot or parcel less than one acre in size.**
 - 2. A maximum of six (6) hives shall be kept or maintained on a lot or parcel greater than one acre in size.**
 - 3. A beekeeper who owns five or more hives is required by the state to register them with the Oregon Department of Agriculture.**
- C. Hives shall consist of removable frames, which shall be kept in sound and usable condition.**
- D. Hives shall not be placed within a required front, side or rear yard setback area.**

- E. In each instance where a hive is kept less than twenty five (25) feet from a property line, a flyway barrier at least six (6) feet in height shall be maintained parallel to the property line for a minimum of ten (10) feet in either direction from the hive. The flyway barrier may consist of a wall, fence, dense vegetation or a combination there of, such that bees will fly over rather than through the material to reach the colony.**
- F. A constant supply of fresh water shall be provided for the colonies on site within fifteen (15) feet of each hive.**
- G. Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the property. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect proof container.**
- H. The sale of surplus honey or bee's wax produced on site shall be permitted on the property where the keeping of bees is permitted per applicable business license and/or home occupation regulations. However, outdoor sales are prohibited.**
- I. Only docile common honey bees shall be permitted. African bees or any hybrid thereof are prohibited.**
- J. A beekeeper shall immediately replace the queen in a hive that exhibits aggressive characteristics, including stinging or attempting to sting without provocation.**

Section 2. Central Point Municipal Code Section 6.06.020 regarding exemptions is hereby amended to read as follows regarding bee keeping:

Title 6
ANIMALS

6.06.020 Exemptions

6.06.020 Exemptions.

- A. Notwithstanding any restrictions or prohibitions of this chapter, animals of any kind and any number may be kept by a school, museum or zoo for educational purposes; or the exhibition for amusement purposes, temporarily, by a circus, carnival, or other exhibition licensed in accordance with the applicable city**

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ordinance. All rules as to sanitation and humane treatment contained in this title shall govern the keeping of the animals and maintenance of the premises or buildings where such animals are kept.

- B. Police service dogs, while in the exercise of their law enforcement duties, are exempt from any restrictions or prohibitions of this title.
- C. **Bee keeping established and operated in accordance with the provisions of Chapter 6.05 are exempt from the prohibitions of this title.**
- D. ~~G.~~ Any prohibited animal in the possession of an owner or custodian at the time the owner or custodian's real property is annexed into the city limits of Central Point may be kept as a nonconforming use provided the owner or custodian registers the animal(s) with the code enforcement officer. The animal(s) may be kept until such time as the owner chooses to remove them from the property. No animal so described may then be replaced by another animal.

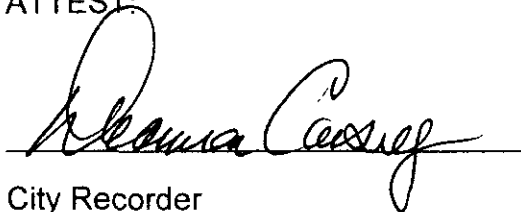
SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to "code", "article", "section", "chapter", or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

SECTION 4. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Passed by the Council and signed by me in authentication of its passage this 10 day of September, 2015.


Mayor Hank Williams

ATTEST:


City Recorder

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