

ORDINANCE NO. 2016-01

AN ORDINANCE REPEALING AND RECREATING SEC. 6.11,
BEEKEEPING OF CHAPTER 6, ANIMALS, AND CREATING
SEC. 8.28, BEEKEEPING LICENSE OF CHAPTER 8, FEES AND
CHARGES, OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN,
DOES ORDAIN THAT SEC. 6.11, BEEKEEPING BE REPEALED AND RECREATED AND
SEC. 8.28 BEEKEEPING LICENSE BE CREATED TO READ AS FOLLOWS:

SECTION 1. Sec. 6.11, **Beekeeping allowed**, is hereby created as follows:

- (a) *Definitions.* For the purposes of this chapter, the following terms have the meaning indicated:
1. "Apiary" shall mean the assembly of one (1) or more colonies of honey bees at a single location.
 2. "Beekeeper" shall mean a person who owns or has charge of one (1) or more colonies of honey or mason bees.
 3. "Beekeeping equipment" shall mean any item used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.
 4. "Colony" shall mean a hive and its equipment and appurtenances, including, honey bees, comb, honey pollen and brood.
 5. "Hive" shall mean the receptacle inhabited by a colony that is manufactured or created for that purpose.
 6. "Honey bee" shall mean all life stages of and are limited to the common domestic honey bee, *Apis mellifera* species of European origin. The Africanized honey bee is prohibited.
 7. "Lot" shall mean a contiguous parcel of land under Village of Allouez ownership.
 8. "Mason bee" shall mean all life stages of and are limited to *genus osmia*.
 9. "Nucleus colony" shall mean a small quantity of honey bees with a queen housed in a smaller than usual hive box designed for a particular purpose.
- (b) *Permit and Fees Required.*
1. Only honey bees and mason bees (hereinafter referred to collectively and individually as "bees") may be kept in the Village on Village owned property under this ordinance.
 2. Persons that keep bees within the limits of the Village must first obtain a permit. No person shall keep, maintain, or allow to be kept any hive or other

facility for the housing of honey bees on or in any Village owned property in the Village of Allouez without first obtaining a permit.

3. Applications for a permit to keep or maintain bees will be made on such forms as provided by the Village Clerk's office.
4. A permit fee shall be as determined by Resolution of the Village Board and then as stated in Chapter 8, Fees and Charges.
5. Permits shall not be transferable or refundable.
6. All permits issued shall expire on June 30 of the year following issuance unless sooner revoked.
7. Applicants shall provide the following information on the original application:
 - A. A detailed lot diagram of the beekeeping equipment location on Village owned property including the distances to property lines and from nearby structures on neighboring properties.
8. The applicant shall provide proof of beekeeping education/training from a local technical college, university or beekeeping association or organization to obtain competency in beekeeping.
9. New permits may only be granted subject to the successful completion of the Village of Allouez Code and Safety Enforcement Coordinator pre-inspection.

(c) Conditions for Keeping and Maintaining Hives.

1. Approval of a permit application for Village owned property is subject to reasonable restrictions, limitations, conditions, or prohibitions prescribed by the Village Board. Any approved permit shall specify any restrictions, limitations, conditions or prohibitions deemed necessary by the Code and Safety Enforcement Coordinator to safeguard public health and the general welfare, and deemed necessary to reduce the likelihood of public or private nuisance.
2. Beekeeping shall be allowed only on Village owned property and those locations designated by the Village on Village property. The number of beekeeping permits for Village owned property shall be determined by the Village Board.
3. Bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
4. Each beekeeper shall ensure that a sufficient and convenient source of fresh water is available to the colony.
5. Each beekeeper shall ensure that no wax comb or other materials that might encourage robbing by other bees are left upon the grounds of the apiary lot. 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.

6. Each beekeeper shall maintain beekeeping equipment in good condition and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honey bees.
7. In apiaries the beekeeper shall conspicuously post a sign including the words "HONEY BEE HIVE" and his/her name clearly readable at twenty-five (25) feet. A copy of the permit shall be placed in a conspicuous place on the hive.
8. Village of Allouez staff shall have the right to inspect any permitted beekeeping equipment between 8 a.m. and 5 p.m. Where practicable, prior notice shall be given to the beekeeper.
9. Hives shall be actively maintained. Hives not under active human management and maintenance shall be deemed abandoned and dismantled or removed from Village property by the permit holder.
10. In any instance in which a hive exhibits unusually aggressive characteristics, it shall be the duty of the beekeeper to destroy or re-queen the hive. Queens shall be selected from stock bred for gentleness and non-swarmling characteristics.
11. In addition to compliance with the requirements of this section, no beekeeper shall keep a hive or hives that cause any unhealthy conditions or interfere with the normal use and enjoyment of human or animal life of others, any public property or property of others.
12. Beekeepers shall keep and maintain the following fire-fighting equipment, in good working condition, located at the apiary or in any motor vehicle used for apiary maintenance, so as to be immediately available in case of fire: A shovel, a fire extinguisher or backpack type firefighting pump.
13. BEE SMOKERS
 - a. Beekeepers shall maintain apiaries free from fire hazards due to use of a bee smokers by complying with the following regulations:
 - b. The bee smoker shall be plugged with a noncombustible or fire resistive plug such as metal or hardwood, while being transported to or from an apiary so as to prevent sparks or embers from escaping.
 - c. During hand-carry transport of a bee smoker containing burning or smoldering substances to or from an apiary, the smoker shall be carried in a noncombustible secondary container with the lid securely fastened in the closed position to prevent the smoker from

- spilling its contents hen tipped over.
- d. During motorized vehicle transport of a bee smoker containing burning or smoldering substances to or from an apiary, the smoker shall be placed in a noncombustible secondary container with the lid securely fastened in the closed position.
- e. All burning or smoldering substances within a bee smoker shall be completely extinguished with water and cold to touch after use.

(d) *Suspension or revocation of permit.* The Code and Safety Enforcement Coordinator may suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.

(e) *Appeals.* Appeals of licensing decisions, including permit denial, suspension or revocation, shall be before the Public Works Committee.

(f) *Violation and penalty.* Any person who violates this ordinance shall pay a forfeiture of not less than \$10 or more than \$1,000 for each violation. Each day a violation occurs or continues shall constitute a separate offense.

SECTION 2. Chapter 8. Fees and Charges, is hereby amended by adding the following:

8.28 Beekeeping License

SECTION 3. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this ____ day of _____, 2016.

 , Village President

ATTEST:

 Debra M. Baenen, Village Clerk

DATE OF PUBLICATION:
