

Ordinance No _____

AN ORDINANCE AMENDING SECTIONS 11-2-1 AND 11-10-7 OF THE NORTH OGDEN CITY CODE, TO AUTHORIZE BEEKEEPING SUBJECT TO CERTAIN REGULATIONS.

WHEREAS, honeybees benefit mankind by providing agriculture, fruit, and garden pollination services and by furnishing honey, wax, and other useful products; and,

WHEREAS, the North Ogden City Council desires to authorize beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with beekeeping in populated areas; and,

NOW, THEREFORE, be it ordained by the North Ogden City Council, North Ogden, Utah that the following definitions shall be added to Section 11-2-1 of the North Ogden City Code:

APIARY: Any place where one (1) or more colonies of bees are located.

APIARY EQUIPMENT: Hives, supers, frames, veils, gloves, or other equipment used to handle or manipulate bees, honey, wax or hives.

BEE: The common honey bee, *Apis mellifera*, at any state of development, but not including the African honeybee, *Apis mellifera scutellata* species, or any hybrid thereof.

BEEKEEPER: A person who owns or has charge of one (1) or more colonies of bees.

BEEKEEPING: To hold a colony of bees in a hive for the purpose of pollination, honey production, study or similar purpose.

COLONY: Bees in any hive including queens, workers, or drones.

FLYWAY BARRIER: A solid fence or hedge used in beekeeping, at least six feet (6') in height extending ten feet (10') from the hive in each direction. It is used to force bees to fly at least six feet (6') above ground over neighboring property lines.

HIVE: A structure designed to contain one colony of honeybees. A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

BE IT FURTHER ORDAINED by the North Ogden City Council that the following shall be added to Section 1-10-7 of the North Ogden City Code

F. Beekeeping in Residential Zones:

An apiary, consisting of not more than five (5) hives or an equivalent capacity, may be maintained in a rear yard (or side yard) of any residential lot. On a residential lot which is larger one-half (0.5) acre or larger, the number of hives located on the lot may be increased to ten (10) hives.

1. Additional requirements:

- a. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.
- b. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code, as amended.
- c. Hives shall be placed at least three feet (3') from any property line and six inches (6") above the ground, as measured from the ground to the lowest portion of the hive.
- d. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.
- e. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.
- f. A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hives located between three feet (3') and fifteen feet (15') from any property line that does not have a six foot (6') solid fence, a flyway barrier shall be established and maintained around the hive except as needed to allow access.
- g. On all lots, if the apiary is located in an area that borders a public walk, street or public area , the area shall be separated from the public walk or street by a six foot (6') solid fence or wall that extends at least ten feet (10') from the hive in each direction.
- h. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.
- i. Each beekeeper shall comply with all State laws and regulations pertaining to beekeeping.
- j. In the event of a conflict between any regulation set forth in this chapter and bee management regulations adopted by the State of Utah and/or Weber County Health Department, the most restrictive regulations shall apply.

This ordinance shall take effect upon adoption.

PASSED and ADOPTED this day of 2014.

North Ogden City:

Brent R. Taylor
North Ogden City Mayor
CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Bailey:	___	___
Council Member Satterthwaite:	___	___
Council Member Stoker:	___	___
Council Member Swanson:	___	___
Council Member Urry:	___	___
(In event of a tie vote of the Council):		
Mayor Taylor	___	___

Attest:

S. Annette Spendlove, MMC
City Reorder