

**AS AMENDED ON APRIL 27, 2015
ORDINANCE NO. 2331**

AN ORDINANCE OF THE CITY OF SALISBURY AMENDING TITLE 6, ANIMALS, OF THE SALISBURY CITY CODE TO ADD DEFINITIONS RELATED TO BEEKEEPING AND ENACTING CHAPTER 6.06 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, honeybees pollinate or enhance one third of all fruits and vegetables eaten by U.S. consumers; and

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

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

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

WHEREAS, the City Council of the City of Salisbury, Maryland, (i) desires to add Chapter 6.06, Beekeeping, to add definitions related to beekeeping and to authorize beekeeping subject to certain regulations as set forth below, and (ii) finds such action reasonably furthers the health, safety, and general welfare of the citizens of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that Title 6 be modified and additional sections added as follows:

Chapter 6.06

BEEKEEPING

Sections:

6.06.010 Definitions

6.06.020 Purpose

6.06.030 Certain conduct unlawful

6.06.040 Hives on residential lots

6.06.050 Beekeeper registration

6.06.060 Hives

6.06.070 Violations

6.06.010 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

“Apiary” means any place where one (1) or more colonies of bees are located.

“Beekeeper” means a person who owns or has charge of one (1) or more colonies of bees.

“Beekeeping Equipment” means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

“Colony” means bees in any hive including queens, workers, and drones.

“Hive” means a frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

“Honeybee” means the common honeybee, Apis mellifera species, at any stage of development, but not including the African honeybee, Apis mellifera scutellata species, or any hybrid thereof.

6.06.020 Purpose.

The purpose of this chapter is to authorize beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with beekeeping in populated areas.

6.06.030 Certain conduct unlawful.

Notwithstanding compliance with the various requirements of this chapter, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety, or creates a nuisance.

6.06.040 Hives on residential lots.

- A. As provided in this chapter, and notwithstanding any contrary provision in Title 17 of this code, an apiary, consisting of not more than three (3) hives or an equivalent capacity, may be maintained in a side or rear yard of any residential lot. On a residential lot which is one-half (0.5) acre or larger, the number of hives located on the lot may be increased to five (5).
- B. 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.

6.06.050 Beekeeper registration.

Each beekeeper shall be registered with the Maryland Department of Agriculture as provided in the Utah Bee Inspection Act set forth in Title 15, Subtitle 07 of the Maryland Annotated Code, as amended.

6.06.060 Hives.

- A. Honeybee colonies shall be kept in hives which shall be kept in sound and usable condition.
- B. Hives shall be placed at least ten (10) feet from any property line and six (6) inches above the ground, as measured from the ground to the lowest portion of the hive; provided, however, that this requirement may be waived in writing by the adjoining property owner.
- C. Hives shall be operated and maintained as provided in the Title 15, Subtitle 07: Apiary Inspection, of the Maryland Annotated Code.
- D. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.

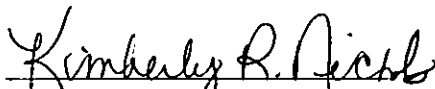
6.06.070 Violations.

A violation of this chapter may be remedied as provided in Sections 6.04.280 and 6.04.290 of this title. When a violation of this chapter is committed, and provided it is not charged in conjunction with another criminal offense and does not constitute a fourth or succeeding notice of violation within a twenty-four (24) month period, an authorized agent of the City shall issue a civil notice of violation to such violator in lieu of a misdemeanor citation.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon adoption.


THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 27 day of April, 2015, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the 11 day of May, 2015.

ATTEST:


Kimberly R. Nichols, City Clerk


Laura Mitchell, City Council Vice President

Approved by me this 13th day of May, 2015


James Iréton, Jr. Mayor

City of Salisbury



JAMES IRETON JR.
MAYOR

TOM STEVENSON
CITY ADMINISTRATOR



Maryland
699 W. SALISBURY PARKWAY
SALISBURY, MD 21801
TEL: 410-548-3165



BARBARA DUNCAN
CHIEF OF POLICE

Bee Ordinance

SPD was tasked with analyzing the impact of the inclusion of an Urban Ordinance. The below bullet points is a synopsis of items to consider.

- **Manpower (workload for 2 Animal Control Officers)**

Annapolis realized virtually no increase in CFS since implementation of the Bee Ordinance.

We believe the impact would be minimal and that our current manpower can handle any increase in CFS

- **Cost as it relates to additional training & equipment for ACO's.**

Very minimal cost for equipment. Nets are the only identified equipment needs.

- **How do other LE agencies of similar size with similar Ordinances in place handle issues, enforcement action, other unintended issues such as noise, attraction of other rodents, etc.**

Ocean City does not allow bees.

Worcester County has no policies on bees.

Somerset County only deals with dogs and they also cover any complaints from Princess Anne.

Wicomico County only deals with domestic animals.

Dorchester County only deals with dogs.

Anne Arundel County does not deal with bees.

Baltimore City's Animal Policies. They do include bees. They have 15 licensed people doing bee keeping in their city. They do the initial inspection prior to issuing the permit, and after inspection complaints are referred to MDA. The supervisor I spoke to could only remember one nuisance complaint on the bees, when someone tried to have them in a condominium setting. Baltimore does charge a fee for these permits.

- **Any other pertinent information outside of the above referenced topics.**

All cities permits related to the keeping of bees should be handled by BHZ which is consistent with other State entities.

Department of Agriculture assesses an annual fee for permits related to the keeping of Bees. Department of Agriculture will inspect bee hives annually (spring) and respond to any citizen complaints at any time. No other Maryland governmental entity deals with bees. Abandoned hives, etc. all are referred to MDA.