

**ORDINANCE NO. \_\_\_\_\_-2015**

**ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 505.18 PERMITTING BEEKEEPING WITH CERTAIN REGULATIONS IN THE CITY OF WYOMING**

WHEREAS, the Wyoming Municipal Code currently prohibits the keeping of bees within the Municipality; and

WHEREAS, residents of the City of Wyoming have requested the Municipal Code be amended to allow for beekeeping within the Municipality; and

WHEREAS, it is recommended to amend Section 505.18 of the Wyoming Municipal Code to allow beekeeping with certain regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WYOMING, HAMILTON COUNTY, OHIO:**

**Section 1.** Codified Ordinance Section 505.18, Bees, of the City of Wyoming is hereby amended in its entirety to read as follows:

505.18 BEES. The keeping of bees in residential areas is permitted under the following conditions:

(a) Definitions:

1) “Bee” means any stage of any species of the genus Apis.

2) “Hive” means any modern frame hive, box hive, box, barrel, log gum, skep or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.

3) “Colony” means any hive and its equipment, including bees, combs and brood.

4) “Equipment” means any used hives or parts thereof used frames, used honey houses, used tools, used machines, or used devices employed in the handling or manipulation of bees, honey, or beeswax, or any used container for honey or beeswax.

5) “Swarm” means a population of bees that is not permanently established.

6) “Beekeeper” means the person who takes care of and/or registers the apiary where the honey bee colonies are kept.

(b) In order to have beekeeping privileges within the City, all beekeepers are required to maintain and register their hives as set forth in Chapter 909 “Apiaries” of the Ohio Revised Code.

(c) All beekeepers are required to register with the City of Wyoming setting forth the location of their hives and number of colonies of bees.

(d) Any lot used for beekeeping must have a minimum size of 14,000 square feet. There shall be no more than two (2) hives established on any lot used for beekeeping, except two (2) additional temporary hives are allowed for hive separation or new swarm establishment purposes. Such temporary hives shall be removed from the property within two (2) weeks.

(e) Hives shall be placed in the rear yard of the property and in no case shall the hives be closer than 30 feet from a public or private street, sidewalk or roadway. In no case shall the hives be closer than 25 feet to an abutting property line.

(f) A fresh water source shall be maintained within fifteen (15) feet of the hives.

(g) The owner of the hive(s) must be a resident in a dwelling located on the same lot on which the hive(s) are registered. Hives are only permitted on lots with single family residential units located on them.

(h) The maintenance of each colony shall meet the following conditions:

1) Colonies shall be maintained in readily movable frame hives.

2) Each hive must conspicuously display the Apiary Identification Number assigned pursuant to Chapter 909 of the Ohio Revised Code on no less than the base and the box. The identification number shall be on a side that is visible without moving or lifting of said hive.

3) Adequate space shall be maintained in the hive to prevent overcrowding and swarming.

4) Colonies shall be requeened following any swarming or aggressive behavior or seized and destroyed without remuneration.

(i) A certificate or permit providing the privilege to keep bees within the City of Wyoming shall be provided by the City of Wyoming to a beekeeper once it is established that the necessary requirements outlined in this ordinance are satisfied.

(j) Beekeeping privileges may be revoked from any property by written notification to the property owner by the City of Wyoming. Revocation must be done with cause, however, the cause need not to be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. The City may revoke beekeeping privileges for any condition or combination of circumstances that jeopardizes, endangers or otherwise constitutes an actual, potential or

perceived menace to public health or safety. Once beekeeping privileges have been revoked on a particular property, such privilege may be reestablished only upon written request. Additionally, a permit or certificate may be revoked by the City due to a failure to satisfy any of the requirements of this ordinance.

A perceived menace to public health may also include, but is not limited to:

- 1) Written documentation over a medical doctor's signature certifying that the medical condition caused by beestings to a resident of an abutting property would constitute a higher than normal health hazard will constitute sufficient cause to withdraw beekeeping privileges from any specific property.
- 2) Abnormally aggressive behavior by bees defending their hive beyond the property lines may constitute sufficient cause to withdraw beekeeping privileges from any specific property.

(k) The City may revoke a beekeeper's privilege to maintain hives within the City by revoking the beekeeper's permit or certificate if in violation of 505.18. If such revocation occurs, the permit holder shall have the right to appeal such decision to the City Manager to determine whether cause exists for revoking the beekeeping privileges, which appeal shall be filed within thirty (30) days of such revocation.

**Section 2.** This ordinance shall take effect from and after the earliest period allowed by law.

**PASSED IN THE COUNCIL CHAMBERS OF THE CITY OF WYOMING,  
OHIO, THIS 20th DAY OF JANUARY, 2015.**

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Barry S. Porter, Mayor

ATTEST:

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Clerk of Council

APPROVED AS TO FORM:

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Emily Supinger, City Solicitor