

- TO CREATE 8.25 OF THE COUNTY CODE: KEEPING OF HONEY BEES; TO CREATE 18.07.020 D., 18.08.020 D. AND 18.09.020 D. OF THE CODE: RULES AND DEFINITIONS; TO CREATE SECTION 18.07.020 D. OF THE CODE: PERMITTED ACCESSORY USES; TO CREATE SECTION 18.08.020 D. OF THE CODE: PERMITTED ACCESSORY USES; TO CREATE SECTION 18.09.020 D. OF THE CODE: PERMITTED ACCESSORY USES -

The County Board of Supervisors of the County of Eau Claire does ordain as follows:

SECTION 1. That Chapter 8.25 of the code be created to read:

Chapter 8.25

KEEPING OF HONEY BEES

Sections:

- 8.25.010 Purpose.
- 8.25.020 Definitions.
- 8.25.030 Permit and inspection required.
- 8.25.040 Standards of practice.
- 8.25.050 Inspection and enforcement.
- 8.25.060 Violation and penalty.

8.25.010 Purpose. The purpose of this ordinance is to preserve the public health, safety and general welfare of county residents in the RH, R-1-L and R-1-M zoning districts for the keeping of common, domestic honey bees, *Apis mellifera* species of European origin as regulated by the Eau Claire City-County Health Department.

8.25.020 Definitions. For the purposes of this chapter, the following terms have the meaning indicated:

- A. "Apiary" shall mean the assembly of one (1) or more colonies of honey bees at a single location.
- B. "Beekeeper" shall mean a person who owns or has charge of one (1) or more colonies of honey bees.
- C. "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.
- D. "Colony" shall mean an aggregate of honey bees consisting principally of workers, but having, when perfect, one (1) queen and at times drones, brood, combs and honey.
- E. "Hive" shall mean the receptacle inhabited by a colony that is manufactured or created for that purpose.
- F. "Lot" shall mean a contiguous parcel of land under common ownership.

8.25.030 Permit and inspection required.

A. A person who keeps more than four colonies of honey bees in the RH, R-1-L and R-1-M zoning districts must obtain a permit from and pay an annual fee established by the Eau Claire City-County Health Department.

B. Permit shall not be transferrable or refundable. Only the owner of the proposed permitted real property, or an occupant of the proposed permitted real property with the owner's written permission, is eligible to obtain a beekeeping permit.

C. All permits issued shall expire on March 31st of the year following issuance unless sooner revoked.

D. Applicants shall provide detailed lot diagrams of the beekeeping equipment location including the distances to property lines and from nearby structures or neighboring properties.

E. Applicants shall provide written consent from at least 80% of the owners with real estate within 100 feet of the applicant's proposed permitted property.

1. Large acreage exemption. When the proposed location of the beekeeping equipment is within a lot greater than four acres in size, the applicant is exempt from the above neighbor consent requirement if either of the following is true:

a. The applicant provides approval from 80% of the occupants of real estate situated within 250 feet of the beekeeping equipment; or

b. The applicant demonstrates that the beekeeping equipment is greater than 250 feet away from any property line.

F. New permits may only be granted subject to the successful completion of the City-County Health Department pre-inspection. Permit renewals may only be granted subject to the successful completion of at least one annual inspection by an inspector approved by the City-County Health Department.

8.25.040 Standards of practice. Any permittee is subject to standards established by the City-County Health Department including a limitation of no more than eight colonies on a property of one acre or larger. Any person obtaining a permit pursuant to this section shall comply with the following standards of practice:

A. Honey bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

B. In apiaries the beekeeper shall conspicuously post a sign including the words "HONEY BEE HIVE" and his/her name and telephone number clearly readable at twenty-five (25) feet.

C. A flyway barrier six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof.

1. The health department may approve an alternative design that meets the intent of the standard and will not increase the likelihood of public or private nuisance.

8.25.050 Inspection and enforcement.

A. This ordinance will be enforced by the City-County Health Department.

B. Violations to this Chapter may constitute a public nuisance under Wis. Stat. § 823 and are enforceable by Eau Claire County.

8.25.060 Violation and penalty. Any person who violates this Chapter shall, for each violation, forfeit not less than fifty (50) dollars nor more than two hundred (200) dollars not including court costs. Each day such violation continues shall constitute a separate offense.

SECTION 2. That Section 18.07.020 D. be created to read:

D. Beekeeping subject to Chapter 8.25.

SECTION 3. That Section 18.08.020 D. be created to read:

D. Beekeeping subject to Chapter 8.25.

SECTION 4. That Section 18.09.020 D. be created to read:

D. Beekeeping subject to Chapter 8.25.

ENACTED: June 21, 2016

Janet K. Loomis
Eau Claire County Clerk