

AN ORDINANCE TO ESTABLISH SOUND BEEKEEPING PRACTICES WITHIN THE CITY OF BROOKLET, TO PROVIDE FOR REGISTRATION OF APIARIES; TO PROVIDE FOR NOTIFICATION OF MOSQUITO CONTROL OPERATIONS; TO PROVIDE FOR THE FENCING OF FLYWAYS IN CERTAIN SITUATIONS; TO PROVIDE FOR COLONY DENSITIES; AND FOR OTHER PURPOSES

BE IT ORDAINED by the Mayor and Council of the City of Brooklet, and it is hereby ordained by authority of the same, that the Code of Ordinances for the City of Brooklet be, and the same is hereby amended, by adding the following section:

Sec. 9-5045. – Beekeeping.

It is the purpose and intent of this section to allow the establishment and maintenance and beehives within the City of Brooklet in areas permitted under the City's zoning ordinance in a manner that is compatible with a municipal setting where population densities are greater so as to avoid issues that may otherwise be associated with and arise with the keeping of bees in such a municipal setting. It is not the purpose and intent of this ordinance to prohibit, impede or restrict the establishment of honeybees and hives.

- (a) Notwithstanding compliance with any other subparts of this section, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.
- (b) Beekeeping may be permitted in areas of the City permitted under the City's zoning ordinance provided the following requirements are met:
 - (1) Licensing requirement for commercial beekeepers. The Georgia Bee Law, O. C. G. A. § 2-14-40, requires that all beekeepers selling bees, queens, nuclei, etc. be commercially licensed. All other beekeepers (e. g. hobbyists, pollinators, honey producers) are not required to be licensed or inspected by the plant protection section.
 - (2) Registration required. All beekeepers are required to annually register each apiary with the City of Brooklet, providing the following information on the application: (a) The name, address, telephone numbers, and email address of the beekeeper; (b) The address for each location of each apiary; Commercial beekeepers are required to submit a copy of their state license with their registration.

- (3) Mosquito control. Mosquito control operations are conducted to maintain a reasonable quality of life for residents and protect them from mosquito-borne diseases. Mosquito control staff will annually notify registered beekeepers by letter sent to the address on the beekeeper's registration prior to the beginning mosquito control operations that may affect their hives, of the intended spraying schedule for the upcoming season. It is the beekeeper's responsibility to take precautions that will help to protect their hives. Mosquito control staff can provide hive protection recommendations.
- (4) Fencing of flyways. Where a colony is located within 25 feet of a property line, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least six feet high in the vicinity of the apiary. Colonies in stands above six feet should have the hive opening facing inward of the property on which they are located.
- (5) Water. Each beekeeper shall ensure that a convenient source of water is available to the bees at all times.
- (6) General maintenance. Each beekeeper shall ensure that no bee comb or other materials are left upon the grounds of the apiary site. All such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- (7) Queens. In any instance in which a colony exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition toward swarming, the beekeeper shall promptly re-queen the colony. Queens shall be selected from European stock bred for gentleness and non-swarmling characteristics.
- (8) Colony densities. It shall be unlawful to keep more than the following number of colonies on any parcel within the city:
 - (A) One-quarter acre or less tract size: two colonies;
 - (B) More than one-quarter but less than one-half acre: four colonies;
 - (C) More than one-half acres but less than one acre tract size: six colonies;
 - (D) One acre or larger tract size: Eight colonies.

Regardless of parcel size, if all hives are located at least 200 feet from all property lines, there shall be no limit to the number of colonies.

Regardless of parcel size, if all property, other than the apiary parcel, within a 200 foot radius from the hive is undeveloped property, there shall be no limit to the number of colonies.

(9) Definitions. For purposes of this section:

- (A) *Apiary* shall mean a place where bees and beehives are kept, especially a place where bees are raised for their honey.
- (B) *Beekeeper* shall mean a person who owns or has charge of one or more colonies of bees.
- (C) *Colony* or *hive* shall mean an aggregate of bees consisting principally of workers, but having, when perfect, one queen at times many drones, including brood, combs, honey and the receptacle inhabited by the bees.

SEVERABILITY

In the event any Court of competent jurisdiction declares any part or parts of this ordinance to be unconstitutional or unlawful, the offending portion or portions shall be deemed stricken herefrom, and the remaining part or parts of this ordinance shall remain enforceable.

EFFECTIVE DATE

This Ordinance shall become effective on the ____ day of _____ 2019.

CITY OF BROOKLET, GEORGIA

BY: _____(SEAL)
Mayor

ATTEST:

_____(SEAL)
Clerk