



CITY OF WASHINGTON, ILLINOIS
Committee of the Whole Agenda Communication

Meeting Date: May 10, 2021

Prepared By: Jon Oliphant, AICP, Planning & Development Director

Agenda Item: Residential Beekeeping Follow-Up Discussion

Explanation: Two representatives from the Heart of Illinois Beekeepers Association spoke at a February City Council meeting about the consideration of allowing residential beekeeping. Chapter 91.09 of the City Code states: "It shall be unlawful for the owner or keeper of bees within the city to permit or allow such bees to fly at large within the city limits." The direction from the Council was to have this as a discussion item at the April Committee of the Whole meeting. There was not consensus on a direction at that meeting other than to have this brought back for further consideration.

If there was interest in allowing residential beekeeping, much of what was contained in the 2016 draft regulations would likely still be worth adopting today and are similar to those that the City of Peoria adopted. The draft ordinance continues to utilize many of the regulations found in other Illinois communities that currently allow beekeeping. While tweaks can be made, the draft regulations provide stringent standards regarding the maximum number of hives per lot, a 25' side and rear yard setback, and a 6' privacy fence or flyway barrier that encloses the rear yard. One regulation that staff would suggest should the direction be to amend the code is to require that proof be shown that written notice has been given to all abutting neighbors of the intent to have hives on the property.

If additional regulations were desired, consideration could be given to establishing more restrictive locational standards such as a minimum lot size or increasing the setbacks. Another stipulation could be to either require a more significant setback or an outright prohibition if a neighboring property owner has a documented allergy to bee and wasp venom. Nearly all of the draft regulations are commonly found in other Illinois residential beekeeping ordinances.

Fiscal Impact: There would likely be little to no fiscal impact, though Brunk's Sports Center has recently begun offering bee products as part of its building renovation and it could see more interest in those products if beekeeping was allowed in the Washington city limits.

Action Requested: Feedback on whether there is interest in amending Chapter 91.09 of the City Code at a future City Council meeting.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF WASHINGTON, ILLINOIS BY AMENDING CHAPTER 91 ENTITLED "ANIMALS"
OF THE CODE OF ORDINANCES OF THE CITY OF WASHINGTON, ILLINOIS, REGARDING
THE ALLOWANCE OF BEES WITHIN THE CITY LIMITS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON,
TAZEWELL COUNTY, ILLINOIS, as follows:**

Section 1. That §91.09 of the Washington Municipal Code of Ordinances titled "Bees" is hereby amended by deleting § 91.09 in its entirety and by substituting the following as §91.09 in lieu thereof:

"§ 91.09 BEES

- (A) Any person keeping honeybee hives must register annually with the Illinois Department of Agriculture, per Illinois State Statute.
- (B) Beekeeping shall be allowed only after a special use permit is granted to the owner of land in a residential zoning classification by the City Council after a public hearing and recommendation by the Planning and Zoning Commission. If a tenant applies for a special use permit, with respect to beekeeping, the tenant shall include in his application for a special use permit the owner's written consent to the tenant's keeping of bees on the land.
- (C) Registration: If a special use permit is granted to the owner by the City Council, a beekeeping permit must be issued by the Code Enforcement Officer. Beekeeping permits must be renewed annually by January 31 of each calendar year. Beekeeper permit registration shall include:
 - (1) Submittal of proof of registration of the hives with the Illinois Department of Agriculture;
 - (2) Submittal of a site plan showing the location of the hive(s) and fencing;
 - (3) Be in compliance with the other requirements of this Section;
 - (4) Payment of a twenty-five dollar (\$25) application fee;
 - (5) No permit shall be assigned or transferred to any other person or location; and
 - (6) Any violation of the requirements of this Section can result in revocation of the permit. Once a permit is revoked, it shall not be reissued.
- (D) No other stinging insects, such as yellow jackets, hornets, other varieties of bees, including African honeybees, or wasps, including Vespidae, shall be contained on private property.
- (E) Maximum Quantity: A maximum of two (2) hives is permitted per property.
- (F) Maintenance: It shall be the duty of any person keeping honeybees on their property to maintain each colony so as not to create a public nuisance.
- (G) Beekeeping Components: Beekeepers shall ensure that no bee comb, wax, or other materials are left upon the grounds of the beehive site. Beekeepers shall promptly store or dispose of any bee comb, wax, or other materials which have been removed from the beehive in a sealed container or within a building or other bee proof enclosure.
- (H) Location: Hives shall only be located within the rear yard of the property.
- (I) Setbacks: Hives shall not be located within twenty-five (25) feet of any property line.

- (J) Fencing: A six-foot (6') tall privacy fence or other solid flyway barrier must enclose the rear yard. The beekeeper must post a prominent weatherproof sign on each side of the fence facing abutting properties the registration number issued by the Illinois Department of Agriculture for the keeping of bees and language that makes clear that bees are on the premises. The sign must be visible and easily read from outside the property.
- (K) Water: Each beekeeper shall ensure that a convenient source of water is available at all times to the honeybees on the property at which the hive is located so that the honeybees are discouraged from congregating at swimming pools, hose bibs, pet water bowls, birdbaths, or other water sources at which they may come in contact with humans or domestic pets. The water source must be maintained so as to not create a breeding site for mosquitoes.
- (L) Enforcement: The City of Washington (COW) shall enforce this ordinance. Once a beekeeping permit is issued, proper officers of the COW are authorized and empowered, during reasonable business hours, to enter the premises to inspect hives or colonies for the purpose of ascertaining the variety of insects occupying the hives, conditions of health, and management of crowding. Additionally, the Tazewell County Health Department shall also be authorized and empowered, during reasonable business hours, to enter the premises when there are potential problems that could be detrimental to the public's health.
- (M) Penalties: See §91.99."

Section 2. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 3. That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED this _____ day of _____, 2016.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk

City of Peoria Beekeeping Regulations

H. Bee Keeping

The purpose of these standards are to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.

1. Bee keeping shall not require zoning approval; however, the following performance standards apply:
 - a. Hives. Hives densities may not exceed 4 hives per 10,000 square feet of lot area. All honey bee colonies shall be kept in hives with movable frames, which shall be kept in sound and usable condition. Hives shall be operated and maintained per this Ordinance, and Illinois State Law.
 - b. Signage. Each hive shall be conspicuously marked with the owner's name, address, telephone number; in addition to state requirements.
 - c. Location and Setback. Apiaries and hives are permitted in all zoning districts. All hives shall be located in the side or rear yard only, at least five feet from any adjoining property with the back of the hive facing the nearest adjoining property. On undeveloped lots, the required district front yard setback must be observed. Setbacks, spacing and orientation must be indicated on a site plan, with 2 feet by 3 feet per hive. No setbacks are required on rooftops.
 - d. Screening and Fencing for Flyways. The beekeeper shall establish and maintain a flyway barrier at least 6 feet in height consisting of a solid wall, fence, dense vegetation or combination thereof so that all bees are forced to fly at an elevation of at least 6 feet above ground level over the property lines in the vicinity of the apiary. Hives must face toward the barrier. Additionally, the barrier helps hide the hive from view and provides wind protection for the hive.
 - e. Water. Each beekeeper shall ensure that a convenient source of water is available to the bees at all times during the year so that the bees will not congregate at swimming pools, pet watering bowls, bird baths or other water sources where they may cause human, bird or domestic pet contact. The water shall be maintained so as not to become stagnant. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property. Options include: Small water garden in a half-whiskey barrel with floating plants, a faucet that drips to a wooden board; and at least 20 feet from the hive.
 - f. Maintenance. Each beekeeper shall ensure that no bee comb or other materials are left upon the grounds of the apiary site. Upon their removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure. All associated items, including screening, must be maintained in good condition.
 - g. Queens. In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to re-queen the colony. Queens shall be selected from European stock bred for gentleness and non-swarming characteristics.
 - h. Swarm Control. Appropriate measures should be taken to control swarming. Suggested practices include: Baiting hives by creating an attractive home waiting to be discovered, requeen the colony each year with a less than one year old queen; and keep items that move lightly in the wind, such as bushes to keep bees accustomed to movement.
 - i. Conduct and Registration Requirements:

- 1) 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.
 - 2) 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.
 - 3) Each beekeeper shall be registered with the State of Illinois. All unregistered hives are considered a nuisance.
 - 4) Hives shall be operated and maintained per this Ordinance, and Illinois State Law.
2. The provisions of this section shall not prevent the City from destroying bees or a bee colony in the event that there is an immediate need to protect the public safety. Such circumstances will occur when there is (1) a bee colony not residing in a hive structure intended for beekeeping, or (2) a dangerous swarm of bees that poses an immediate risk to the safety of humans or (3) a colony residing in a standard or man-made hive which, by virtue of its condition, has obviously been abandoned by the beekeeper.