



PLANNING & ZONING COMMISSION

TO: City of Peoria Planning & Zoning Commission

FROM: Site Plan Review Board

DATE: March 3, 2016

CASE NO: PZ 16-B

SUBJECT: Hold a Public Hearing and forward a recommendation to the City Council on the request of the City of Peoria to amend Appendix B, the Zoning Ordinance and Appendix C, the Land Development Code, relating to Bee Keeping.

SUMMARY OF PROPOSAL

The attached text amendment is proposed to allow bee keeping, as a use permitted with administrative approval. The keeping of bees is currently not permitted.

The State of Illinois requires registration of all bee keeping; those not registered are declared a nuisance. The State regulations focus mostly on type of bees kept, diseased or parasitized colonies, and the movement of bees.

The proposed local Ordinance addresses:

- The approval process
- Setbacks
- Screening
- Water requirements
- Swarm control
- Signage on vacant property

SITE PLAN REVIEW BOARD RECOMMENDATION

The Site Plan Review Board recommends APPROVAL of the proposed text amendment.

ATTACHMENTS

Proposed Ordinance

**ORDINANCE AMENDING APPENDIX B OF THE CODE OF THE CITY OF PEORIA
RELATING TO BEE KEEPING**

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule municipality, the City may exercise any power and perform any function pertaining to its government and affairs including zoning regulations and uses; and

WHEREAS, the City of Peoria desires to allow bee keeping;

WHEREAS, the City Council of the City of Peoria has found that honeybees can be maintained within populated areas in reasonable densities without causing a nuisance if the bees are properly located and carefully managed; and

WHEREAS, honeybees are of benefit to mankind by providing agricultural, fruit, and garden pollination services, and by furnishing honey, wax and other useful products; and

WHEREAS, passage of this ordinance is in the interests of the health, safety and welfare of the citizens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS:

Section 1. That Appendix B of the City Code of the City of Peoria, Illinois, is hereby amended as follows:

Uses permitted with administrative approval.

Section 2.5 Uses Permitted with Administrative Approval

Sec. xx-xx. Beekeeping.

Purpose—The purpose of this article is 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.

(a) Definitions.

Apiary - a place where bee colonies are kept. The assembly of one or more colonies of bees at a single location.

Bee - any stage of the common domestic honey bee, *Apis Mellifera* Species.

Beekeeping Equipment—Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

Colony - a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

Honey Bee—All life stages of the common domestic honey bee, *Apis Mellifera* species.

Hive - a structure intended for the housing of a bee colony.

(b) Hives. 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.

(c) Signage. Each hive shall be conspicuously marked with the owner's name, address, telephone number; in addition to state requirements.

(d) 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. 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.

(e) 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.

(f) 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 garend in a half-whiskey barrel with floating plants, a faucet that drips to a wooden board; and at least 20 feet from the hive

(g) 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.

(h) 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.

(i) Swarm Control. Appropriate measures should be takes to control swarming. Suggested practces 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 accostomed to movement.

(j) Conduct and Registration Requirements

- a. 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.
- 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.
- c. Each beekeeper shall be registered with the State of Illinois, and submit proof to the City of Peoria. All unregistered hives are considered a nuisance.
- d. Hives shall be operated and maintained per this Ordinance, and Illinois State Law.

- e. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.

- (j) 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.

Section 2. This Ordinance shall be in full force immediately and upon passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, THIS

_____ DAY OF _____, 2016.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel