

FILE ORDINANCE NO. 2018-729

An ordinance regulating beekeeping on residential properties in the City of Janesville, with penalties for violations thereof as set forth in J.G.O. 6.12.200.

SECTION I. Section 6.12.130 of the Code of General Ordinances of the City of Janesville is hereby created to read as follows:

6.12.130 Residential Beekeeping

1. Keeping of Honey Bees Allowed When
 - a. A “honey bee” is defined as any member of the genus Apis.
 - b. Any person may keep up to two colonies of honey bees on any residential zoned lot in the City which contains a single-family or two-family residential dwelling. One additional colony per acre would be allowed for all properties one acre or larger in size.
 - c. If bees are no longer kept at the property, any beehive structures shall be removed from the yard within 30 days. No hive may house a colony of insects other than honey bees.
 - d. All beekeeping activities, structures and products existing on a residential lot shall be for personal use only and cannot be operated as part of a business.
 - e. All beekeeping activities must be in compliance with Wis. Stat 94.76 and ATCP 21.13, as from time to time amended or renumbered.
2. Location of Beehive Structures
 - a. A “beehive” is defined as any man-made, enclosed structure created to house and accommodate honey bees.
 - b. Beehives may only be located in the rear yard area. Beehives shall not be located in the front, interior side or corner side yard of the residential zoned lot.
 - c. Beehives shall not be located within 10 feet of any property line. Beehive entrances shall face away from the property line of any neighboring developed lot.
 - d. Beehives shall not be located within 150 feet of any property designated as a “sensitive site”. A sensitive site is defined as any property that requires beehives to be kept at a greater distance for medical, safety or sustained public nuisance reasons. These sites include, but are not limited to: schools, daycares, medical facilities, senior care facilities, playgrounds, pools and outdoor athletic facilities. Properties designated as a sensitive site reserve the right to waive their designation. Residential properties can also be designated as a sensitive site if the resident(s) can demonstrate a prolonged need for the increased buffer distance from beekeeping activities due to a health or safety concern. Property owners who are interested in starting beekeeping activities at their residence shall alert their neighbors beforehand.
3. Required Structures for Residential Beekeeping

- a. Honey bees must be maintained in beehives with removable combs for inspection purposes. Both langstroth and top bar beehives are acceptable beehive structures. The beehive structures must be maintained in good repair.
 - b. A flyway barrier measuring 6 feet in height must be constructed along any part of a property line within 20 feet of a beehive, as measured from the nearest point of any hive to the property line. A flyway barrier is defined as a solid or closely slatted fence (no more than three inches between slats), wall, dense line of vegetation, or combination thereof. Property owners shall be required to obtain a fence permit from the Building Division if their flyway barrier exceeds 16 feet in length.
 - c. Beekeepers must maintain a constant supply of water (ex: birdbath, chicken waterer, etc.) on their property.
4. License
- a. No person shall keep any honey bees nor construct any beekeeping structures without first obtaining a residential beekeeping license through the City Clerk-Treasurer.
 - b. Fee. An initial application fee of \$50.00 shall be paid to the City by the applicant when the initial application is filed. An annual license renewal fee of \$25.00 shall be paid to the City by the applicant each year thereafter. The license year shall be January 1 through December 31. There shall be no proration for a license issued for less than a full year.
 - c. Application. The application for the residential beekeeping license shall be made using such forms required by the City's Clerk-Treasurer. If the applicant is not the owner of the parcel, the property owner must sign the application certifying approval for the use of the premises for this purpose. The property owner's signature must be notarized.
5. Inspections
- a. City of Janesville inspectors may enter the rear yard of a residential zoned lot at any reasonable time to determine if a property is in compliance with the provisions of this chapter.
 - b. A re-inspection fee of \$100.00 shall be charged by the City against and paid by the property owner if the violation is not corrected by the re-inspection date. \$100.00 will be charged for each subsequent re-inspection until full compliance is achieved. Re-inspection fees that are not timely paid shall be entered upon the tax roll as a special charge against the lot or parcel of land, pursuant to the provisions of Sec. 66.0627, Wis. Stats.

ADOPTED: _____

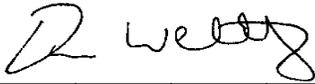
APPROVED:

Mark A. Freitag, City Manager

ATTEST:

David T. Godek, City Clerk-Treasurer

APPROVED AS TO FORM:



Assistant City Attorney, Tim Wellnitz

Proposed by: Sustainable Janesville Committee
Prepared by: Operations Division

Motion by:				
Second by:				
Councilmember	Aye	Nay	Pass	Absent
Conley				
Farrell				
Gruber				
Jorgensen				
Marklein				
Williams				
Wolfe				