

## Section 30-080: Keeping of Honeybees

1. No person shall keep, maintain, or allow to be kept any hive or other facility for the housing of honeybees on or in any property in the City of Nevis, except in accordance with these standards of the Section.
2. A beekeeper, including the use of beekeeping equipment, may be allowed to establish an apiary, colony, or hive of honeybees without the issuance of a permit, provided such activity is contained upon a lot, or group of contiguous parcels under common ownership and/or control, containing one (1) acre or more of land area.
3. Such operation shall be on property adjacent to land zoned Agricultural Transition (AT) district according to Division 50 of this Ordinance or be adjacent to a vacant parcel in another zoning district adjacent to an AT District.
4. Standards of practice. Any person keeping honeybees shall comply with the following standards of practice:
  - a. Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
  - b. Each beekeeper shall ensure that a convenient source of water is available to the colony prior to and so long as colonies remain active outside of the hive.
  - c. For each colony permitted to be maintained under this article, there may be maintained upon the same apiary lot, one (1) nucleus colony in a hive structure not to exceed one (1) standard nine and five eighths ( $9 \frac{5}{8}$ ) inch depth ten-frame hive body with no supers.
  - d. Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honeybees.
  - e. Each beekeeper shall enclose their hives, unless located on a rooftop on a second or higher story so as to be inaccessible to the general public and so that bee movements to and from the hive do not interfere with the ordinary movements of persons on adjacent properties or the public right-of-way.
  - f. Any person keeping honeybees in each instance where a colony is kept less than twenty-five (25) feet from a property line of the lot upon which the apiary is located, as measured from the nearest point on the hive to the property line, and any entrances to the hive faces that lot line, the beekeeper shall establish and maintain a flyaway barrier at least six (6) feet in height. The flyaway barrier may consist of a wall, fence, dense vegetation or combination thereof, such that honey bees will fly over rather than through the material to reach the colony. If a flyway barrier of dense vegetation is used, the initial planting may be four (4) feet in height, so long as the vegetation normally reaches six (6) feet in height or higher. The flyway barrier must continue parallel to the apiary lot line for ten (10) feet in either direction from the hive. All other sides of the area encompassing the colonies shall consist of fencing, a wall, dense vegetation or combination of at least four (4) feet tall. The area encompassing the colonies need not entail the entire property. A flyway barrier is not required if the property adjoining the apiary lot line is

undeveloped, or is zoned AT, or is a wildlife management area or naturalistic park land with no horse or foot trails located within twenty-five (25) feet of the apiary lot line. A flyway barrier is not required if the hives are located at least five (5) feet from the side of the structure and at least fifteen (15) feet from any adjacent and occupied structure.

- g. Any beekeeper who violates these standards or is found to have had an occurrence where a documented serious medical injury is caused to any person not associated with the beekeeping operation, shall be deemed a public nuisance and shall immediately discontinue any and all future bee keeping operations on the subject property as determined by the Zoning Commission and/or law enforcement.