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**AN ORDINANCE  
of the  
CITY OF  
MINNEAPOLIS**

**By Hofstede**

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**Amending Title 4, Chapter 74 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Miscellaneous Regulations.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 74.80 of the above-entitled ordinance be amended to read as follows:

**74.80. Keeping of honeybees.** ~~No person shall keep or allow to be kept any hive or other facility for the housing of honeybees.~~ (a) 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 Minneapolis without a permit.

(b) The number and location of hives, colonies and/or facilities for the housing of honeybees permitted by this section shall be determined by a permit issued by Minneapolis Animal Care and Control. The permit shall specify any restrictions, limitations, conditions or prohibitions required by the manager of animal care and control as necessary to safeguard public health and the general welfare. Subject to a hearing to be held by a committee of the council or other designated hearing examiner, if requested within five (5) days of the notification, the manager of animal care and control may deny, suspend or revoke any permit applied for or granted pursuant to this section if any condition or requirement is violated or if the keeping of honeybees becomes a public nuisance.

(c) The manager of Minneapolis Animal Care and Control may grant a permit pursuant to this section only after the applicant has met any educational requirements as established and published by the manager and received the written consent of at least eighty (80) percent of the occupants of the several descriptions of real estate situated within one hundred (100) feet of the applicant's real estate and one hundred (100) percent of the signatures of occupants of properties immediately adjacent to the applicant's real estate. For the purposes of this subsection, the term "occupant" refers to any one occupant for each of the real estate properties referenced.

(d) Any person desiring a permit for the keeping of honeybees shall make application to Minneapolis Animal Care and Control. Approval of the application is subject to reasonable conditions prescribed by the manager of Minneapolis Animal Care

and Control. All permits issued shall expire on January thirty-first of the year following issuance unless sooner revoked. The application fee for such permit shall be one hundred dollars (\$100) which shall be paid at the time of application. The annual renewal fee thereafter for such permit shall be fifty dollars (\$50.00). Minneapolis Animal Care and Control shall inspect the premises annually or as deemed necessary. Should the permit be refused, denied or revoked, the fee paid with the application shall be retained by Minneapolis Animal Care and Control.

(e) Minneapolis Animal Care and Control shall enforce the provisions of this section.

(f) *Definitions.* As used in this section:

*Apiary* means the assembly of one or more colonies of honey bees at a single location.

*Beekeeper* means a person who owns or has charge of one or more colonies of honey bees.

*Beekeeping equipment* means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

*Colony* means an aggregate of honey bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.

*Hive* means the receptacle inhabited by a colony that is manufactured for that purpose.

*Honey bee* means all life stages of the common domestic honey bee, *Apis mellifera* species of European origin.

*Lot* means a contiguous parcel of land under common ownership.

*Nucleus colony* means a small quantity of honey bees with a queen housed in a smaller than usual hive box designed for a particular purpose.

*Undeveloped property* means any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school or governmental facilities or other structures or improvements intended for human occupancy and the grounds maintained in associations therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

(g) *Standards of practice.* Any person obtaining a permit pursuant to this section shall comply with the following standards of practice:

- (1) Honey bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
- (2) 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.
- (3) Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.
- (4) For each colony permitted to be maintained under this ordinance, there may also be maintained upon the same apiary lot, one nucleus colony in a hive structure not to exceed one standard 9-5/8 inch depth ten-frame hive body with no supers.
- (5) 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 honey bees.
- (6) Each beekeeper shall enclose their property with a latching fence.

(h) *Colony density.* Any person obtaining a permit pursuant to this section shall comply with the following restrictions on colony density:

- (1) Except as otherwise provided in this ordinance, 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 flyway barrier at least six (6) feet in height. The flyway barrier may consist of a wall, fence, dense vegetation or a 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 agricultural or industrial, or is a wildlife management area or naturalistic park land with no horse or foot trails located within 25 feet of the apiary lot line.

(2) No person is permitted to keep more than the following numbers of colonies on any lot within the city, based upon the size or configuration of the apiary lot:

a. One half acre or smaller lot: 2 colonies;

b. Larger than 1/2 acre but smaller than 3/4 acre lot: 4 colonies;

c. Larger than 3/4 acre lot but smaller than 1 acre lot: 6 colonies;

d. One acre but smaller than 5 acres: 8 colonies;

e. Larger than 5 acres: As determined by the manager of Minneapolis Animal Care and Control.

(3) Regardless of lot size, so long as all lots within a radius of at least two-hundred (200) feet from any hive, measured from any point on the front of the hive, remain undeveloped, the maximum number of colonies may be increased by the manager of Minneapolis Animal Care and Control. No grandfathering rights shall accrue under this subsection.

(4) If a beekeeper serves the community by removing a swarm or swarms of honey bees from locations where they are not desired, a beekeeper shall not be considered in violation of the portion of this section limiting the number of colonies while temporarily housing the swarm on the apiary lot in compliance with the standards of practice established pursuant to this section if the swarm is so housed for no more than thirty (30) days from the date acquired.

(i) Any person obtaining a permit pursuant to this section shall agree to defend and indemnify and hold harmless the City of Minneapolis against any and all claims arising out of the keeping of honeybees and any other activities related to any permit issued pursuant to this section.