

Proposed Beekeeping Ordinance

BOARD OF SUPERVISORS

MAY 14, 2019



Background

- Many Beekeepers over the past few years have spoken at the Nevada County Agricultural Advisory Commission meetings about issues impacting the beekeeping industry.
- Presentation of issues by staff at 2019 Annual Board of Supervisors workshop.
- Direction from Board of Supervisors to return with a proposed ordinance addressing the issues.

Issue- Encroachment

- Increased pest and disease pressure on hives due to increased number of hives and close proximity of each other.

- Recommendation

No person shall establish, place, keep, cause or allow a Commercial Apiary closer than two miles (by GPS coordinates) from any other established and registered Commercial Apiary Location, except where:

- All Commercial Apiary Locations within a two-mile radius are being kept or maintained by the same apiary owner; or
- The proposed location of the encroaching apiary was listed on the beekeepers 2018 Apiary Registration, and the Apiary Location has been registered by the same beekeeper, or registered Transferee, every subsequent year; or
- Written permission is provided to the Commissioner from the owner of the encroached upon apiary; or
- The encroaching apiary is a Pollination Apiary

Issue- Honey Production

- Poor honey production in Nevada County due to overstocking of the landscape
- Recommendation

Hive Limit to Prevent Landscape Overstocking During Nectar Flow. No Apiary Location may contain more than 48 live colonies of bees between **May 15 and October 15.**

- Mating Nucleus Apiaries, Pollination Apiaries, and those conducting research or educational trails are exempt from this requirement.

Issue- Nuisance Complaint

Staff sees an opportunity to address a common nuisance complaint.

Recommendation:

Availability of Water No person shall place, keep, cause or allow any apiary to remain in any location unless one of the following conditions exists:

- There is a natural water supply in existence within a distance of one-half mile from the apiary, or
- An artificial water supply is maintained within one hundred fifty feet from any such apiary. If the artificial water supply is not owned or controlled by the beekeeper, the beekeeper shall have written consent to use the artificial water supply and such written consent shall be provided to the Commissioner upon request

Implementation

- State Law requires the Annual Registration of all Apiaries with the local County Ag Commissioner (FAC 29040, 29042, 29043)
- At time of receiving registration, County Agricultural Commissioner will approve or disapprove registration based on location and criteria established by this ordinance.
- Enforcement by County Agricultural Commissioner staff done under the authority of Sec. L-II 5.21 and 5.23 of the Land Use and Development Code and/or applicable state laws.

Summary

- Require two-mile buffer between new commercial apiary sites
- Limit the number of hives per site during the nectar flow season (May 15-October 15 (some exemptions))
- Require water be provided, either naturally or artificially
- Implementation by County Agricultural Commissioner in conjunction with State requirements for Apiary Registration.

Recommendation

- Staff recommends that the Board of Supervisors adopt the ordinance as an urgency ordinance, adding Article 2 to Chapter XIV of the Nevada County Land Use and Development Code regarding Beekeeping. (4/5ths vote required)