

Sponsor: DUSTIN YONER  
First Reading: 8-5-14  
Second Reading:                     

AN ORDINANCE REGULATING THE KEEPING OF BEES AND BEEHIVES IN THE  
TOWN OF GREENWOOD

WHEREAS, the Town of Greenwood has authority under section 29(2) of the Town Charter to “provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants”; and

WHEREAS, it is the opinion of the Town Council of the Town of Greenwood that the unregulated keeping of bees within the Town of Greenwood can have negative effects on the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town.

NOW THEREFORE, be it ordained by the Mayor and Council of the Town of Greenwood, in council duly met, that an Ordinance Regulating the Keeping of Bees and Beehives in the Town of Greenwood is hereby adopted as follows, to wit:

**Section 1. Definitions.**

Beekeeper: A person who owns or has charge of one or more colonies of bees.

Colony or hive: An aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times many drones, including brood, combs, honey and the receptacle inhabited of bees.

Honey bee: All life stages of the common domestic honey bee, *apis mellifera* species.

Nucleus colony: A small colony created from larger colonies.

**Section 2. Keeping bees.**

- (a) *Declared nuisance; removal.* Notwithstanding compliance with the various requirements of this ordinance, it shall be unlawful for any beekeeper to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others. Any beehive kept in violation of this section may be declared a nuisance by a majority vote of the town council and may be required to be removed or relocated in accordance with the procedures outlined in Ordinance A-13.
- (b) *Location of beehives from structures and businesses.* Beehives for the housing of bee colonies shall not be located closer than 150 feet from structures located on adjacent parcels including residential structures, hospitals, public eateries, churches, offices or schools.

Beehives may be located no closer than 30 feet from structures situated on the same parcel as the beehives.

- (c) *Hive registration; compliance with State Requirements.* All honey bee colonies shall be registered with the Delaware Department of Agriculture. All state requirements regarding the keeping of bees and beehives shall be complied with.
- (d) *Hive type.* All honey bee colonies shall be kept in removable frames, which shall be kept in sound and usable condition.
- (e) *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, bibcocks, pet watering bowls, bird baths or other water sources where they may cause human, bird or domestic pet contact.
- (f) *Colony densities.* For every two colonies authorized under this section, there may be maintained upon the same tract one nucleus colony in a hive structure with no supers attached, as required from time to time for management of swarms. Each such nucleus colony shall be disposed of or combined with an authorized colony within 30 days after the date acquired. It shall be unlawful to keep more than the following number of colonies on any parcel within the town, based upon size or configuration of the parcel on which the apiary is situated:
  - (1) One-quarter acre or less—Prohibited to keep any colonies.
  - (2) One-quarter acre or larger but less than one-half acre—Four colonies.
  - (3) More than one-half acre but less than one acre—Six colonies.
  - (4) One acre or larger—Eight colonies.
  - (5) Regardless of parcel size, where all hives are situated at least 200 feet in any direction from all property lines of the tract on which the apiary is situated, there shall be a limit of ten colonies.
  - (6) Regardless of parcel size, so long as all property other than the tract upon which the hives are situated, that is within a radius of at least 200 feet from any hive, remains undeveloped parcels there shall be a limit of ten colonies.
- (g) *Violations; penalties.* Any person convicted of violating the provisions of this section shall be punished by a fine of not less than \$100 nor more than \$200, plus court cost and victims compensation fund assessment. Each occurrence of a violation, or, in the case of continuous violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.

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#### SYNOPSIS

This ordinance establishes regulations for the keeping of bees and beehives within the Town of Greenwood. This ordinance outlines the distance from structures beehives may be kept and specifies the number of colonies that may be kept based on the size of the lot. This ordinance prohibits the keeping of beehives in such a way that would constitute a nuisance and authorizes

the town to remediate nuisances caused by beehives based on the regulations outlined in Ordinance A-13.

**PASSED** by a majority of the elected members of the Town of Greenwood, Delaware, this 5<sup>TH</sup> day of AUGUST, 2014.

**MAYOR AND COUNCIL OF  
GREENWOOD, DELAWARE**

ATTEST: Dustin Yoder (SEAL)  
Dustin Yoder, Secretary

BY: Donald Donovan  
Donald Donovan, Mayor

This shall certify that this is a true and correct copy of the Ordinance adopted by the Town Council of the Town of Greenwood at a duly called and duly noticed meeting of the Town Council at which a quorum was present held on AUGUST 5, 2014.

Lisa Markes  
Town Clerk