



City of Henderson Bee Keeping Registration

**Anyone keeping bees within
the City of Henderson must
complete a registration form**

Registration INFORMATION

Name of Bee Keeper:					
Address: (Location of hives)			Email Address:		
City:		St:		Zip Code:	
Contact Info:	Day:			Cell :	
Phone Numbers:.	Night:				
Name of Property Owner(s): (If different than above)					
Address:					
City:		St:		Zip Code:	

PROPERTY OWNER CERTIFICATION

(TO BE COMPLETED IF APPLICANT IS NOT THE PROPERTY OWNER)

I hereby certify that I/we am/are the owner(s) of record of the subject property and that I/we consent to the resident applicant registering and keeping bees as herein stated.

Signature

Signature

COLONY/HIVE INFORMATION

Number of Colonies/Hives:	Full Hives		Nucleus Hives (Half Size)	
	<input type="checkbox"/> One	OR <input type="checkbox"/> Two	<input type="checkbox"/> One	OR <input type="checkbox"/> Two

If hives will be located within seventy-five (75) feet of an adjoining property line, written consent from the adjoining property owner is required.

REQUIRED DOCUMENTATION

Submitted

Proof of Insurance

(*minimum comprehensive liability insurance of \$300,000 per occurrence)

Adjoining Property Owner Consent(s), if required

(**consents are required if hive(s) are within 75 feet of adjoining property line)

REQUIRED SIGNATURE

Hold Harmless Clause: Registrant shall save and hold the City of Henderson harmless from and against all liability, claims and demands on account of personal injuries or property loss or damage of any kind whatsoever, which arises out of or be in any manner connected with this activity, regardless of whether such injury, loss, or damage shall be caused by, or be claimed to be caused, by the negligence of the registrant or the City of Henderson; or by any agents or employees of any of the foregoing; or by accident; or otherwise.

The undersigned agrees to the terms of the agreement as outlined by the City of Henderson.

The registrant ensures compliance with the following:

1. The observance of all applicable laws and ordinances, including but not limited to Sections 6-5 and 6-9 of the City's Code of Ordinances relating to bee keeping; and
2. The registrant assumes any and all liabilities that may arise from the related activity.

Your signature below indicates that you have been provided a copy of Section 6-9 Bee Keeping of the Code of Ordinances of the City of Henderson, Kentucky, and understand your responsibility to report to the City Clerk on an annual basis the status of the honey bee colony and submit any insurance policy renewals as well as changes to your contact information.

Signature

Date

For City Clerk/Code Enforcement Office Use Only

Received By: _____ Proof of Insurance: _____ Property Owner Consent: _____

Adjoining Consent(s): _____ Codes Inspection Date: _____

PER ARTICLE I, CHAPTER 6, SECTION 6-9 OF THE CITY OF HENDERSON, KENTUCKY, CODE OF ORDINANCES

The herein named person, subject to the laws and regulations of the City of Henderson
is hereby registered to engage in the keeping of honey bees as herein defined.

Date

City Clerk

*This registration does not constitute a vested right and may be revoked at any time pursuant to law.



Bee Keeping Adjoining Property Owner Consent Form

The resident at _____ in the City of Henderson wants to keep honeybees on his/her residential property, and is registering pursuant to 6-9, *Bee Keeping* of Chapter 6, *Animals*, of the City of Henderson Code of Ordinances to keep honeybees. A maximum of two (2) hives and up to two (2) nucleus (half size) hives that are constructed to help prevent swarming are allowed. No hive shall be located within seventy-five (75) feet of your property line without your written consent. Should your property be sold, consent of the new owner would be necessary.

By signing this form, you are providing written consent for the resident at the above designated address to be allowed to keep honeybees. Do not sign this form if you are NOT giving consent.

I understand that my approval is required to allow the resident to keep honeybees since the property I own is immediately adjoining the above listed property **AND** at least one or more of the hives will be located within seventy-five (75) feet of my property line.

I hereby give my permission for honeybees to be kept on the above listed property.

Name: _____ Signature: _____

Address: _____ Date: _____

Comments: _____

Name: _____ Signature: _____

Address: _____ Date: _____

Comments: _____

Name: _____ Signature: _____

Address: _____ Date: _____

Comments: _____

Name: _____ Signature: _____

Address: _____ Date: _____

Comments: _____

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ORDINANCE NO. 12-18

ORDINANCE AMENDING CODE OF ORDINANCES REGARDING ANIMALS AND BEE KEEPING

SUMMARY: AN ORDINANCE AMENDING CHAPTER 6, *ANIMALS*, ARTICLE I, *IN GENERAL*, BY AMENDING SECTION 6-5 *ANIMAL, FOWL AND BEES NUISANCE* AND ADDING SECTION 6-9 *BEE KEEPING* OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

WHEREAS, it is necessary to update Chapter 6, *Animals*, by amending Section 6-5 *Animal, fowl and bees nuisance*, and adding Section 6-9, *Bee Keeping* to establish certain requirements for sound bee keeping practices to avoid or minimize problems that may otherwise be associated with the keeping of bees in populated areas within the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, that Section 6-5 *Animal, fowl and bees nuisance* is amended, and Section 6-9 *Bee Keeping* of Chapter 6, *Animals*, Article I, *In General*, of the Code of Ordinances is hereby added as follows:

Sec. 6-5. - Animal, fowl and bees nuisance.

No person shall be a custodian of, or permit, an animal, fowl or bees nuisance. For purposes of this section any one of the following shall constitute an "animal, fowl or bees nuisance:"

- (a) The keeping of an animal which molests persons, animals or passing vehicles;
- (b) The keeping of an animal or fowl which trespasses on or damages private or public property (including the leaving of waste materials);
- (c) The keeping of an animal or fowl which emits sound in an excessive, continuous or untimely fashion; or
- (d) The keeping of an animal, fowl or bees which creates any condition which might endanger the public health, safety, welfare or environment or interferes with the quiet and peaceful enjoyment of the property of others. Bees may be kept if done so in compliance with Section 6-9.

Sec. 6-9. – Bee Keeping

- A) The purpose of this section is to establish certain requirements for sound beekeeping practices which are intended to avoid or minimize problems that may otherwise be associated with the keeping of bees in populated areas within the city of Henderson. It shall be unlawful for any person or entity within the city to establish, maintain or permit to exist any hive, stand or box where bees are kept unless the bees are kept in compliance with the provisions of this section. Notwithstanding compliance with the ordinance, it shall be unlawful for any beekeeper to keep any colony or colonies of bees in such a manner as to constitute a public nuisance, a significant risk of harm to persons or property, 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 the property of others.
- B) Any honey bee colony shall be registered with the City Clerk of the city of Henderson. The registration shall provide the name of the property owner; the address where the bees are being kept; a phone number where the owner may be contacted; and the number of colonies or hives being maintained. The registration shall be on an annual basis for each year when the hives are being kept. There shall be no registration fee. The beekeeper shall obtain and maintain in full

PUBLICATION DATE: 06/16/2018

FIRST READ: 05/22/2018
SECOND READ: 06/12/2018

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ORDINANCE NO. 12-18 (CONT.)

force and effect an insurance policy which provides coverage for all beekeeping activities with policy limits of not less than \$300,000 per occurrence and present proof of said insurance coverage to the city at the time of registration and any renewal thereof.

C) Definitions. As used in this section, the following words and terms shall have the meanings ascribed in this section unless the context of their usage clearly indicates another meaning:

- (1) **APIARY.** The assembly of one or more colonies of bees at a single location.
- (2) **BEE.** All life stages of the common domestic honey bee, *Apis mellifera* species.
- (3) **BEEKEEPER.** A person who owns or has charge of one or more colonies of bees.
- (4) **BEEKEEPING EQUIPMENT.** Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.
- (5) **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 by the bees.

In any instance in which a colony exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition toward swarming, it shall be the duty of the beekeeper to promptly re-queen the colony with the queen selected from European stock bred for gentleness and non-swarmling characteristics.

D) Hives shall be continually managed to provide adequate living space for their resident bees to reduce the likelihood of swarming. Hives shall be requeened no less than once every two (2) years to help prevent swarming.

E) To minimize contact with humans and domesticated animals and accidental intrusion by children, hives shall be surrounded by a structure at least six (6) feet in height consisting of a solid wall, fence, dense vegetation or combination thereof so that all bees are forced to fly at an elevation of at least six (6) feet above ground, level in the vicinity of the apiary.

F) Each beekeeper shall ensure that a source of water convenient to the bees is available 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 domesticated animal contact on public or private property.

G) Hive maintenance materials shall be stored in a sealed container or placed within a building or other bee-proof enclosure. Discarded hive maintenance materials or equipment shall be disposed of in sealed containers or bee-proof enclosures.

H) All bee colonies shall be kept in inspectable hives consisting of moveable frames and combs, and shall be kept in sound and usable condition at all times.

I) No more than two (2) hives may be kept or maintained on any lot. Notwithstanding the foregoing provision, an additional two (2) nucleus colonies of half size that are constructed to help prevent swarming may be maintained.

J) No hive shall be located within seventy-five (75) feet of an adjoining property owner's property line without the written consent of the adjoining property owner. Should the adjoining property be sold, consent would be needed by the new property owner.

K) Bees or hives shall be considered a public nuisance when colonies exhibit defensive or objectionable behavior; interfere with the normal use of neighboring properties or public property; or hives have been abandoned by the bees that were inhabiting it or by the beekeeper.

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ORDINANCE NO. 12-18 (CONT.)

L) The Code Enforcement Officer and/or his or her designee shall be responsible for insuring compliance with this section and for investigating any complaints or information that colonies of bees within the city are not being kept in compliance with this section or constitute a public nuisance. If the Code Enforcement Officer or his or her designee after investigation is of the opinion that grounds exist to believe that a colony or colonies of bees are being kept in violation of the section, the Code Enforcement Officer shall serve upon the keeper of the bees by personal service or certified mail a notice of violation specifying the nature of the violation, the action to be taken in order to comply with this section, and the time in which to comply with this section not to exceed fifteen (15) days from the date of the notice. In the event the beekeeper fails to bring the colony or hive into compliance with this section within the period specified by the Code Enforcement Officer, the Code Enforcement Officer or his or her designee may enter upon the property and cause the bees to be destroyed or relocated outside of the city at the expense of the beekeeper. Any person aggrieved by any action or decision of the Code Enforcement Officer shall have ten (10) days from the receipt of the Code Enforcement Officer decision or directive to file a written notice of appeal to the Code Enforcement Board.

All ordinances or parts of ordinances in conflict herewith are hereby repealed and superseded to the extent of such conflict.

The ordinance shall become effective upon its legal adoption.

On first reading of the foregoing ordinance, it was moved by Commissioner Staton, seconded by Commissioner Vowels, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Pruitt:	<u>AYE</u>	Commissioner Staton:	<u>AYE</u>
Commissioner Bugg:	<u>AYE</u>	Mayor Austin:	<u>AYE</u>
Commissioner Vowels:	<u>AYE</u>		


WHEREUPON, Mayor Austin declared the ordinance adopted on first reading and ordered that it be presented for a second reading at a meeting of the Board of Commissioners.

On second reading of the ordinance, it was moved by Commissioner Staton, seconded by Commissioner Vowels, that the ordinance be adopted.

WHEREUPON, the vote was called. On roll call the vote stood:

Commissioner Pruitt:	<u>AYE</u>	Commissioner Staton:	<u>AYE</u>
Commissioner Bugg:	<u>AYE</u>	Mayor Austin:	<u>AYE</u>
Commissioner Vowels:	<u>AYE</u>		

WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered that it be recorded.


Steve Austin, Mayor
Date: June 12, 2018

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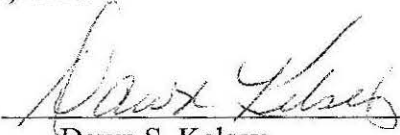
ORDINANCE NO. 12-18 (CONT.)

ATTEST:


Maree Collins, City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 16TH DAY OF
MAY, 2018.**

By:


Dawn S. Kelsey
City Attorney