

CITY OF CHEWELAH, WASHINGTON

ORDINANCE No 985

AN ORDINANCE ADDING SECTION 18.12.121 AND AMENDING SECTION 18.12.120 AND TABLE 18.08.020 OF CHEWELAH MUNICIPAL CODE TO PROVIDE GUIDELINES AND STANDARDS FOR THE ALLOWANCE OF BEEKEEPING IN THE CITY OF CHEWELAH.

WHEREAS, the current Chewelah Municipal Code does not provide guidance or standards for beekeeping within the city; and

WHEREAS, the Chewelah City Council believes it to be in the best interest of the community and the environment to allow for beekeeping and define standards for doing such within Chewelah Municipal Code; and

WHEREAS, the proposed code additions underwent SEPA Review and a Determination of Non-Significance was issued on July 26,2023; and

WHEREAS, the Hearing Examiner Pro Tem held a public hearing on August 15, 2023 to review and take public comment on the draft code 18.12.121 and provided a recommendation to the City City Council based on findings of fact and conclusions of law.

NOW, THEREFORE, the COUNCIL of the CITY of CHEWELAH ordains as follows:

SECTION 1.

Table 18.08.020, "Permitted, Conditionally Permitted and Prohibited Uses by Base Zone," of Chewelah Municipal Code is hereby amended to include the use "Beekeeping" as follows:

Beekeeping	<u>P(12)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>P(12)</u>
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Notes:

12. Subject to standards set forth in CMC 18.12.121

SECTION 2.

A new section 18.12.121 of Chewelah Municipal Code is hereby added and shall include the following:

18.12.121 Beekeeping

- A. Definitions. The terms "apiarist", "bees", "colony", and "hive" as used in this section shall have the meanings set forth in RCW 15.60.005.

- B. Registration. All colonies shall be registered with the director of the Washington State Department of Agriculture pursuant to RCW 15.60.021 no later than April 1st of each year and comply with all rules set forth in RCW 15.60.
- C. Where Permitted. Beekeeping is allowed as an accessory use on any lot within the single-family residence or community facility zones, subject to the requirements of parts D.1 through D.4 below.
- D. Standards Applicable to Beekeeping. Beekeeping is subject to the following standards:
1. Location, Density and Maintenance of Colonies.
 - a. The number of colonies is limited to one colony per four thousand three hundred fifty-six (4,356) square feet (0.10 acre) of lot area, up to a maximum of eight colonies per lot; and
 - b. Colonies shall be setback a minimum of twenty-five feet of any property line, except that a colony may be situated within ten feet of a side lot line or rear lot line provided the following provisions are met:
 - i. The apiarist must establish and maintain a flyway barrier at least six feet in height consisting of a solid wall, solid fencing material, dense vegetation, or combination thereof that is parallel to the property line and extends ten feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over the property lines in the vicinity of the colony; or
 - ii. The colony is situated ten feet or more above the grade of the nearest adjoining property line.
 2. Colonies shall be maintained in movable-frame hives with adequate space and management techniques to prevent overcrowding and swarming.
 3. Hives shall be maintained to avoid overpopulation and minimize aggressive or swarming behavior, for example by requeening regularly, so as not to become a nuisance. Aggressive behavior is hereby defined as any instance in which unusual aggressive characteristics such as stinging or attacking without provocation occurs.
 4. Every apiarist shall maintain an adequate supply of water for bees located close to each colony.
- E. Nuisances. Abandoned colonies, diseased bees, or bees living in trees, buildings, or any other space except in movable-frame hives shall constitute a public nuisance, and shall be abated as set forth in CMC 8.08, Nuisances.
- F. Penalties. In addition to any other enforcement action which the city may take, violation of subsections C through E of this section above shall be a civil violation and a fine not exceeding one-hundred (\$100) may be imposed. Each day the violation continues will be treated as a separate offense.

SECTION 3.

Section 18.12.120, Subsection (C)(3) of Chewelah Municipal Code hereby amended as follows:

3. The keeping of bulls and stallions over six months of age, the keeping of mink, foxes, or other non-domestic fur-bearing animals, ~~the keeping of bees or beehives~~ and the keeping of inherently dangerous animals shall be prohibited.

SECTION 4. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

SECTION 5. Effective Date. This Ordinance shall take effect and be in full force and effect immediately upon its passage.

ADOPTED BY THE COUNCIL OF THE CITY OF CHEWELAH, WASHINGTON, AT A REGULAR MEETING THEREOF ON THE 18th DAY OF October, 2023.



Mayor M. Gregory McCunn



Authenticate: Catherine Konzal, Deputy Clerk