

ORDINANCE NO. 52-94

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA AMENDING THE TOWN CODE CHAPTER 6, ANIMALS, BY ADDING A NEW ARTICLE 6-3, BEES AND BEE KEEPING, CONSISTING OF SIX SECTIONS INCLUDING DEFINITIONS; PERMITS; REQUIREMENTS; PROHIBITED ACTS; EXCEPTIONS AND PENALTY; AND DEFINING ABANDONED HIVES, COLONIES AND APIARIES.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA AS FOLLOWS:

Section 1. That the Town Code Chapter 6, Animals, is hereby amended to include Article 6-3 Bees and Bee Keeping consisting of the following six sections.

Section 6-3-1 Definitions

1. "Apiary" means one or more hives or colonies of bees at one location.
2. "Colony" means the inhabitance of the hive including the queen, drones, worker bees and brood.
3. "Hives" means the domicile of bees including any receptacles or containers inhabited by bees.
4. "Swarm" means a population of transient bees that have not permanently established themselves.

Section 6-3-2 Permits

1. Prior to the keeping of any hive, colony or apiary within the limits of the Town, all persons shall be required to obtain a beekeeping license issues by the Town Clerk. The application form for the license shall include the name, address and telephone number of the person seeking the license as well as the name, address and telephone number of the property owner. If the applicant is other than the property owner than the application shall also include written permission of the owner for the use of the property for keeping a hive, colony or apiary. The form shall also include a drawing of the property indicating the location for the keeping of the hive, colony or apiary and an acknowledgment that prior to the placing of the hive, colony or apiary upon the property that an adequate supply of water is available on the property in close proximity to the hive, colony or apiary.

2. An annual fee of \$10.00 (ten dollars) shall be charged and collected for the issuance of each license and a separate license will be required for each separate location at which bee keeping will occur.

Section 6-3-3 Requirements

1. Any receptacle or container inhabited by bees shall be marked on the outside in such a manner as to reflect the license number issued by the Town.
2. A permanent and adequate water supply must be available on the property at all times within 30 feet of the hive, colony or apiary.
3. In residential zones classified R-1-35 or smaller all hives, colonies and apiaries must be located no closer 30 feet to any exterior property line. In residential zones classified R-1-43 or greater and in commercial or industrial zones, the 30 foot limitation shall only apply along the property line that abuts residential property zoned R-1-35 or smaller.

Section 6-3-4 Prohibited Acts

1. The keeping of bees whether or not for commercial purposes without first having obtained a permit.
2. Failure to provide adequate water supply as set forth in Section 6-3-3 above.
3. Any act or omission the result of which is to allow bees to be kept in such a manner so that they present a hazard to the public health, safety and welfare of the residents.

Section 6-3-5 Exceptions

The provisions of this Article do not apply to any property owner upon whose property a swarm of transient bees are attempting to or have established a domicile.

Section 6-3-6 Penalty

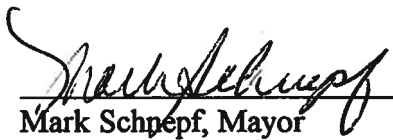
Upon conviction of a violation of any provision of this Article the first offense shall be punished as a petty offense and all subsequent convictions within a two year period shall be treated as class I misdemeanors.

Section 6-3-7 Abandoned Hives, Colonies and Apiaries

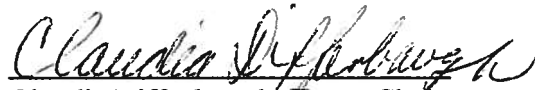
1. Any hive, colony or apiary which does not contain the marking requirements of Section 6-3-3. 1.; and the water supply requirement of Section 6-3-3. 2. and for which no permit required by Section 6-3-2 has been issued; it shall be presumed to be abandoned. The Town upon a complaint may take all action necessary to remove the abandoned hive, colony or apiary from the property.

PASSED AND ADOPTED this 21st day of December, 1994.

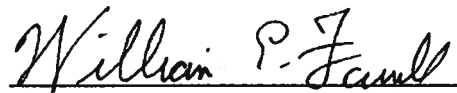
TOWN OF QUEEN CREEK


Mark Schnepf, Mayor

ATTEST TO:


Claudia Dittenbaugh, Town Clerk

APPROVED AS TO FORM:


William E. Farrell, Town Attorney

REVIEWED BY:


Cynthia Seelhammer, Town Manager