



Oregon Master Beekeeper Program

GOOD NEIGHBOR BEEKEEPING

by Dewey M. Caron

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Bees can be kept anywhere but that doesn't necessarily mean they should be kept everywhere! People have an inordinate fear of bee stings and beehives and neighbors are not always a compatible mix. Each year several local communities seek to handle bee complaints, sometimes with ill-advised and inappropriate legislation. Beekeepers are continually seeking to change bans, often into enlightened (but still somewhat restrictive) regulations on keeping bees. Expansion of beekeeping within cities (including large cities of New York, Chicago, Detroit, San Francisco and Vancouver, BC), towns and suburbs continues. One increasingly common trend is roof-top beekeeping and using vacant city properties as apiary sites.

I developed a Handout for urban beekeepers some 10 years ago as MAAREC Publication 2.7. See website https://agdev.anr.udel.edu/maarec/wp-content/uploads/2010/03/Keep_Bees_in_Pop_Area_pm.pdf The suggestions offered then are just as appropriate today. I recommended that beekeepers with urban apiary sites: consider neighbors first, keep gentle bees, know bee biology, halt swarming, keep water source near bees, conceal hives, stop robbing, consider honey handling management, appropriate beekeeping equipment, registering of hives (where required) and that they follow local ordinances and nuisance statues.

Larry Connor has recently written about bees in cities and towns, featuring southern OR part-time beekeeper Karen Peteros, a San Francisco beekeeper. His latest article is in Dec 2011 *BEECULTURE*.

Some additional sources of good practical information on GOOD NEIGHBOR BEEKEEPING

Long Island NY Beekeepers Club BEEKEEPERS GOOD NEIGHBOR POLICY (probably oldest GNP)

1. No more than four hives of honey bees for each one-quarter acre or less of lot size will be maintained on any lot.
2. No hive of honey bees will be maintained within ten feet of a boundary line of the lot on which said hive is located.
3. A six-foot hedge or fence (partition) will be placed between the hives and the neighbors if the hive is ten feet from the neighbor's yard and the entrance faces the neighbor's yard.
4. No hive of honey bees will be maintained unless an adequate supply of water will be furnished within twenty feet of said hive at all times between March 1 and October 31 of each year.
5. No hive of honey bees will be maintained unless such hive is inspected not less than four times between March 1 and October 31 of each year by the owner of the lot on which said hive is located or his delegate. A written

record including the date of each such inspection will be maintained by said owner and will be available by authorized individuals.

6. No hive of honey bees will be maintained in a residential area in such a manner as will constitute a substantial nuisance.

A FEB 2011 update 2 page flyer from J. Gangloff-Kauffman NY STATE IPM PROGRAM: BEE A GOOD NEIGHBOR http://www.nysipm.cornell.edu/publications/apiculture/files/bee_neighbor.pdf

NOTE: This good neighbor policy is heavy on set-backs which are not popular – emphasis today is on getting bees to fly up and over with fencing or vegetative corrals for backyard/city hives.

New York City recently lifted a ban on city beekeeping (bees were included in a listing banning exotic/zoo animals promulgated many years earlier) with only current requirements that city beekeepers register bees, insure bees have access to water and respond quickly to swarms

Good Neighbor Policy courtesy Dana Stalman OH (from a meeting he attended – author unknown)

1. Place your colonies of bees away from lot lines and occupied buildings. If near buildings, place colonies away from used entrances and lines of traffic. Colonies should be in full sun if possible.
2. If your colonies are near the line, erect a six foot barricade between the bees and the line. Use anything bees will not pass through: dense shrubs, fencing, etc. An alternate solution may be to place the hives on a roof. Anytime bees are flying close to the ground and across the property line of a neighbor, there are potential problems.
3. Bees may be annoying at their water source. If you do not live within 500 feet of a natural water source, or if you live near a swimming pool, place a tub of water in your apiary with wood floats in it. This is to allow the bees to drink without drowning. Change the water weekly to prevent stagnation and mosquito breeding.
4. Minimize robbing by bees, since those which are being robbed become very aggressive. To accomplish this, work your bees only during a nectar flow, keep exposed honey to a minimum, and use entrance reducers on weak colonies.
5. Try to prevent swarming. Though gentle, swarms are a nuisance.
6. Do not keep more than three or four beehives on a lot less than one-half acre. If more colonies are desired, find a nearby farmer who will allow you to keep your hives on his land in exchange for some honey.
7. Do not work your beehives when close neighbors are in their yards.
8. If you have a mean colony that may bother neighbors when you are working it, requeen it.
9. A pound or two of free honey each year to neighbors bordering on your property often makes bees much more acceptable to them.
10. Please remember: the successful beekeepers' bees are not a nuisance to his neighbors.

BEE CULTURE MAGAZINE Editor Kim Flottum is developing a map (WALL OF SHAME) showing 90+ communities across US that have restrictive ordinances banning bees – he wants your input. He seeks to change NO BUZZ ZONES into FREE FLIGHT ZONES. He lists several Good Beekeeping Practices. See site <http://www.beeculture.com/content/No%206-1-10.pdf> For WALL of SHAME see

article: <http://www.thedailygreen.com/environmental-news/blogs/bees/illegal-urban-beekeeping-0602> NOTE: current emphasis on bee biology but controlling swarming and providing water still important.

Additional good information site

Johns beekeeping Notebook: Backyard Beekeeping
<http://outdoorplace.org/beekeeping/citybees.htm>

Recent Good neighbor/bee regulation activity in OREGON

In response to a question from a prospective beekeeper, Allen Engle, a member of the **Central Oregon** Bee Association conducted a survey of rules regarding keeping of bees in towns and counties in the Bend, OR area. His findings, presented in February 2011, are provided as Appendix I.

IN the **Willamette Valley**, two communities had recent bee “issues.” A 2-hive beekeeper in **Keizer** Linda Thompson was sent notice to remove her bees from the town. On recommendations of WVBA officers Harry Vanderpool and Mike Rodia, she was advised to contest the ruling on the grounds that she was not in violation as a hobbyist beekeeper. (See appendix II for details). She was allowed to continue her beekeeping. There was discussion of an ordinance being prepared to cover bees of hobbyists but presentations before the council were enough to halt any such ordinance. In **Molalla**, an inquiry from a soon-to-be-beekeeper led to the city manager proposing a ban on bees and hefty fine for anyone owning colonies in the city. Harry Vanderpool and Mike Rodia, of the WVBA, attended a city council meeting presenting information on bees and pointing out that a fall downstairs had 1000X the probability of accidental death than a bee sting. The city council voted unanimously to “forever” table the proposed ban.

THE BEST ADVICE – Harry Vanderpool, WVBA

Harry Vanderpool writes: “Our goal should be 100% unregulated beekeeping in OR cities and towns.” Before any ordinances are proposed the Association (WVBA) is prepared to go as experts before City Planning or City Council meetings with the goal to seek “TOTAL elimination of all ordinances related to bees and beekeeping”. If problems arise, the city should handle them under their general nuisance clauses.

Harry says: “The worst mistake we can make is to start trying to negotiate rules and best practices, setbacks, etc...it goes on forever. While some cities have been very friendly and favorable, others have arranged days and days of meetings after meetings. Salem, Keizer, Albany, Mollala, and McMinnville are cities where we have wiped the slate on beekeeping ordinances.”

Harry advises that “New beekeepers should be strongly dissuaded from calling their cities to ask "permission" or to inquire about rules regarding keeping of bees. These calls are often the beginning of efforts to ban bees! Beekeepers should first call their local or State beekeeping officers with questions. Also, when a beekeeper, new or old, is cited within any city in Oregon, they should contact the local bee association or ORSBA IMMEDIATLY and resist taking action on their own. Trust

and plan to assist the bee experts, both in local and the state association, to aid in beekeeping ordinances/regulations and lobbying.” Harry is planning to draft his recommendations and they will be appended to this when available.

Hillsboro. Paul Andersen supplied the following information and Ordinance relative to keeping bees in Hillsboro, OR. Bees were formerly banned (considered exotic animals) in the city before the ordinance below was passed in 2010 with assistance of TVBA members after several meetings and hearings.

Hillsboro OR Municipal Code CHAPTER 6 HEALTH AND WELFARE Subchapter 6.20 ANIMALS 6.20.080 Bees

A. Keeping Bees. Bees may be kept in the city consistent with the following standards:

1. The keeper is in compliance with HMC 6.20.080(B);
2. Bee hives / colonies may only be kept on single family residential property;
3. No more than three bee hives / colonies may be kept;
4. Bee hives / colonies may not be kept when a person who has a medically certified allergy to the sting of bees resides within 300 feet of the hives / colonies and has submitted to the city medical documentation and a written request that the hives / colonies be removed;
5. Products generated, such as honey, may not be sold from a residential property;
6. Bees must be contained consistent with the following standards:
 - a. All portions of the hives / colonies enclosure must be located behind the front building plane of the dwelling; and
 - b. All portions of the hives / colonies must either be located a minimum of 10 feet from any property line unless there is no barrier, such as a fence or hedge, that is at least six feet in height on all relevant property lines, in which case a minimum of 15 feet applies.
7. Beekeeping equipment must be kept consistent with the following standards:
 - a. All portions of the hives / colonies enclosure must be kept and maintained in a clean and sanitary condition at all times to prevent any condition which may be dangerous or detrimental to the health of the public or animals or constitute a nuisance; and
 - b. Unused equipment may not be in the open or otherwise accessible to bees.

B. Notification Process. Prior to keeping bees, a person must:

1. Prepare a notice stating intent to keep bees and the type of bee kept and mailing list, utilizing city approved templates; and
2. Mail notice to adjacent property owners within 300 feet of the site two weeks prior to commencing bee keeping; &
3. Submit a written declaration to the city of compliance with the notification requirements in HMC 6.20.080(B)(1) & (2).

Definitions (Hillsboro) A. BEE, a social colonial insect, kept in a beehive for purposes of producing honey and / or for pollination and does not include mason bees (*Osmia Rufa*);

Junction City (Lane County) is currently (early spring 2012) considering a request from a person to allow chickens and bees in the city. They have formed alliances with others to seek to change the ban [it is not certain when or for what reason the ban was enacted]. There have been several meetings but nothing changed to date. Barb Moffitt writes in Feb 2012:

“We now have a coalition formed on Facebook, (Junction City Backyard farming Coalition) that has close to 80 members, last I checked. We have been back to the city council meeting to address the ordinance concerning this issue. Many are trying to get the fowl [ordinance ban] changed as well. There was an issue of a person getting a \$500.00 ticket recently for having ducks which sparked this debate. The ordinance for the fowl is connected in with the bees. The coalition has recently formed a sub-committee and seems to be quite motivated, organized and well educated. We want to enlist as many people as possible with the expertise to address issues pertaining to chickens and bees. The City council has requested much education surrounding both before they will even consider any move forward. We are planning (with great consideration and excitement) a expo of sorts. We have many already on board to help and educate. This will include topics about gardening, beekeeping, small chicken containment, wine tasting, composting, raised beds and possibility a vegetable co-op stand. “

When there are further developments the Junction City issue will be updated.

APPENDIX I

Honey Bee Rules and Regulations – Central OR - Compiled by Allen Engle Feb 15, 2011

REDMOND

1 colony / 5000 sqft lot up to 8 colonies

Located in side or rear yard, 10 ft setback

Flight pattern not impact public.

If within 30 ft of property line, flyway barrier at least 6ft high by 10 ft each way

Moveable frame hives with management to prevent overcrowding

Maintain water within 10 ft of each hive.

Hives must be actively maintained or removed.

If aggressive or prone to swarming, must requeen.

Online at:

http://doc.ci.redmond.or.us/Community_Development/Development_Code/Development_Code.pdf
chapter 8.0364, page 91. Contact: Pamela Thomas at 541-923-7754

SISTERS

Beekeeping is not mentioned as an allowed activity in the City of Sisters. The planner said that this would be interpreted as not allowing it. The planning folks are looking at updating the code in the next 6 months or so, and will listen to suggestions.

Contacts are Pauline Hardie or Eric Porter at 541-549-6022

BEND

1 colony / 5000 sqft lot up to 8 colonies

Located in side or rear yard, 10 ft setback

Isolated by fence

Flyway barrier at least 6ft high by 10 ft each way or 10 ft AGL

Moveable frame hives with management to prevent overcrowding

If aggressive, must requeen.

Maintain water close by.

Online at www.ci.bend.or.us ; bend code; chapter 10-10, chapter 3.6.300 P, or page 319

Contact the planning office at 541-388-5570

Prineville

Currently: colonies limited to 1 per 1000 sqft

Proposed in changes for May: 1 colony per 5000 sqft

Setback at least 25 ft from lot line

If aggressive or swarming, must requeen

Maintain an adequate supply of water close to each hive.

Online:

<http://www.cityofprineville.com/commdev/landusefiles/Land%20Use%20code,%20Amended.pdf>
paragraph 153.097 (A)(3) or page 145 Contact: Joshua Smith, 541-447-2367

La Pine

According to the La Pine city hall, there are NO ordinances in La Pine with respect to beekeeping. She said that implies all is allowed. City Hall: (541) 536-1432

Deschutes County

Other than “Urban unincorporated communities”, “Farm use” is allowed for all county lands. Honeybees are specifically included as livestock. Farm use does, however, imply the primary purpose of obtaining a profit. (Planner said that frequently doesn’t happen).

Urban unincorporated communities include: Terrebonne and Tumalo.

Online at <http://www.deschutes.org/dccode/Title18/PDF%20files/Chapter%2018.04.pdf> pages 2 and 9.

Contact Paul Blikstad at 541-388-6554

Jefferson County

In exclusive farm use or forest, beekeeping is ok. Unincorporated communities: Camp Sherman, Crooked River Ranch, probably ok as a crop, not tested. Rural areas, 5 to 10 acres, probably ok as a crop, not tested. Contact: Jon Skidmore (541) 475-4462

STATE of OREGON

Should register hives if 5 or more. Cost \$10, expires May 31 each year. Currently used only for emergency contact or mailing list.

Form at <http://orsba.org/htdocs/download/hivereg.pdf>

APPENDIX II

2010 Keizer, Or Bee Incident – Courtesy of Linda Thompson

In 2010, The Thompson's received a letter from a City of Keizer code enforcement officer stating that "raising and harvesting of bees is considered farm use" and not allowed on our property which is residential single family. Linda Thompson replied "It is our opinion that this "public servant" merely did a word search on bees in response to our neighbor's complaint to him. The neighbor complained to the city when he saw "bees swarm in a black cloud" and claims his son is allergic to bee stings. It's unknown whether the swarm was from our yard but that year we had about 4 swarms that landed on our property, two of which we captured."

Text of letter by Linda Thompson to the City responding to their inane assertions.

Tony Casker Code Enforcement Officer/Zoning Technician, City of Keizer, P O Box 21000, 930 Chemawa Rd NE, Keizer, OR 97307 April 25, 2010

Dear Mr. Casker:

In response to your unsigned letter stating that I am in non-compliance of certain zoning standards I wish to submit the following information. I live on a zoned residential single family (RS) property and have been cited for having two bee hives on my property. I am contesting this action as the zoning ordinance 215.203 that you provided specifically defines farm use (EFU) for the "primary purpose of obtaining a profit in money". My two hives of honeybees are for the main purpose and intent of pollination of my family's garden, berries and fruit trees as well as other plants in the neighborhood. The bi-product (honey) from my bees is used by my family and friends and donated to organizations or given as gifts. No profit is gained or expected to be realized. Beekeeping is my hobby.

The gentle honeybee is valued and prized for pollination and honey. The City of Keizer should follow the precedent set by other cities in the country and promote the urban beekeeper's part in feeding the community. The City should be aware of the benefits of honeybees as a green, sustainable resource that provides environmental benefits to our City and community.

Because I do not live in a farm use area and my primary purpose is not to obtain a profit in money, I object and challenge your decision on displacing my honeybees. Linda Thompson

City's response to my letter.

From: Casker, Tony Sent: Thursday, April 29, 2010 3:08 PM

To: Linda Thompson Subject: 660 Appleblossom Av N

Ms. Thompson-

We received and reviewed your letter of 4/25/10 sent. It appears that after further discussion of the City's Development Code on Agricultural Uses; there is merits to you're position.

Therefore, provided there are no profits made on honey produced you are within guidelines allowed for personal use in the raising of your bees.

Tony Casker

Additionally, Tony Brown City of Keizer Community Development Director sent the following email the same day to Tony Casker, Code Enforcement Office ? Zoning Technician, and the Thompsons

Date: Thu, 29 Apr 2010 16:27:01 -0700

From: "Brown, Nate" brownn@Keizer.org To: "Casker, Tony" <CaskerT@Keizer.org>,

Let me add some clarification.

We are taking the position that the keeping of two beehives is consistent with individual home production. The Keizer Development Code does not regulate this as such, if it is consistent with home production, and is in no way part of a commercial operation. This applies to all aspects of the bee keeping, including honey, the hives themselves, and the bees as well.

Let me reiterate: Based on your assertions that this is for home use only, that there is no commercial aspect of this activity, and the fact that the scale of this beekeeping is very limited in scope, we will interpret the KDC as not regulating this limited land use.

I have also explained this to the complainant. Thank you.

Nate Brown, City of Keizer, Community Development Director.