

SPONSORED BY: _____
INTRODUCED BY: _____

BILL NO. 3756
ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 205: ANIMAL REGULATIONS, ARTICLE VI: BEEKEEPING, BY THE AMENDMENT OF SECTION 205.450, REGARDING PROPER BEEKEEPING PRACTICES, OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI.

WHEREAS, Section 2.1 of the City Charter confers upon the City of Ellisville all powers which the General Assembly of the State of Missouri has authority to confer upon any municipality, provided such powers are consistent with the Constitution of the State of Missouri and are not limited or denied either by the Charter, including all powers conferred upon the City by law; and

WHEREAS, the City has enacted Section 205.450 of the Municipal Code of the City of Ellisville, Missouri (the “Code”), regulating beekeeping within the City; and

WHEREAS, City staff have found that while bees can be maintained within populated areas in reasonable densities without causing a nuisance, certain amendments to the Code are warranted to address issues raised by residents regarding beekeeping; and

WHEREAS, the City Council has determined that it would be in the best interest of the City to amend its ordinances to modify the City’s regulations applicable to beekeeping and to require a permit for beekeeping to ensure compliance with the Code; and

WHEREAS, a copy of the proposed Ordinance was made available for public inspection prior to its consideration by the Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: Title II: Public Health, Safety and Welfare, Chapter 205: Animal Regulations, Article VI: Beekeeping, Section 205.450: Keeping of Bees, of the Municipal Code of the City of Ellisville, Missouri, is hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 2: All other Sections and Subsections of Title II: Public Health, Safety and Welfare, Chapter 205: Animal Regulations, of the Municipal Code of the City of Ellisville, Missouri shall remain in full force and effect.

SECTION 3: This Ordinance shall be in full force and effect thirty (30) days from and after the latter of its passage and approval of the Council.

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This Bill No. _____ having been read by title or in full two times prior to passage and having been duly considered and voted upon was finally passed and approved this _____ day of _____, 2022.

First Reading votes:

Second Reading votes:

DATE: _____

DATE: _____

	AYE	NAY	ABSTAIN		AYE	NAY	ABSTAIN
MCGRATH	_____	_____	_____		_____	_____	_____
COMPTON	_____	_____	_____		_____	_____	_____
CAHILL	_____	_____	_____		_____	_____	_____
SANBORN	_____	_____	_____		_____	_____	_____
DUFFY	_____	_____	_____		_____	_____	_____
BOGGS	_____	_____	_____		_____	_____	_____
ROEMERMAN	_____	_____	_____		_____	_____	_____

ATTEST:

CITY OF ELLISVILLE

CITY CLERK

MAYOR MIKE ROEMERMAN

Approved as to legal content and form:

City Attorney

EXHIBIT A

[language to be added in red, language to be repealed struck-through]

Title II. Public Health, Safety and Welfare.**Chapter 205. Animal Regulations.****Article VI. Beekeeping.****Section 205.450. Keeping of Bees.**

- A. The keeping of bees shall be allowed on all detached single-family lots under the following conditions:
1. Regulations.
 - a. Minimum Lot Size. The subject property must be at least ten thousand (10,000) square feet in area.
 - b. Number Of Hives. **A maximum of three (3) hives are permitted if the subject property is less than fourteen thousand five hundred (14,500) square feet in area. A maximum of five** Five (5) hives are permitted if the subject property is between ~~ten thousand (10,000)~~ **fourteen thousand five hundred (14,500)** and sixty thousand (60,000) square feet in area. A maximum of fifteen (15) hives are permitted if the subject property is more than sixty thousand (60,000) square feet in area.
 - c. Location Of Hives. The hives must be at least ten (10) feet from each property line unless **the one (1) of the following circumstances applies:**
(1) — ~~The hives are at least sixteen (16) inches above the adjacent ground.~~
 - d. Housing And Maintenance. All colonies must be kept in movable frame hives. Adequate space must be maintained around hives to prevent overcrowding and swarming.
 - e. **Water Source. A convenient source of water must be available to the bees on the subject property at all times so that bees will not congregate at swimming pools, water bowls, birdbaths, or other water sources where they may cause human, bird, or domestic pet contact. The water source must be maintained so as to not become stagnant.**
 - f. **Fencing. The hives must be separated from any pedestrian walkway by a solid, sight-proof fence at least six (6) foot in height.**
 - g. **Neighboring Property. An applicant for a permit under subsection B of this Section must provide written notice to the owners or occupants of any adjacent properties with an in-ground or above-ground swimming pool of his/her intent to apply for a permit for beekeeping prior to the installation of any hives, and shall attest that such notice has been provided on the permit application. If such adjacent property owner or occupant notifies the City that he/she objects to the installation of hives, a permit application may be denied by the City. City staff may prepare a form notification for applicants to provide to neighboring property owners with swimming pools.**

- B. Permits. No person shall engage in beekeeping within the corporate limits of the City without first obtaining a Beekeeping Permit from the City; provided however, that persons engaged in beekeeping as of the effective date of this subsection shall not be required to obtain a permit until January 1, 2023. A permit may be denied or revoked due to noncompliance with applicable provisions of this Code. If a permit is denied or revoked by the City, such denial or revocation may be appealed to the Council by the owner or occupant of the subject property within ten (10) days of such decision. The Council may sustain or reverse the decision, or may impose additional conditions on the installation of hives. Revocation of a permit shall be stayed while an appeal is pending.

PROPOSED