

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY ADDING ARTICLE V, BEEKEEPING.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 3, Animals and Fowl, is hereby amended and reordained by adding Article V. Beekeeping, Section 3-30. Location of Apiaries, Section 3-31. Number of hives regulated, Section 3-32. Water supply for bees, Section 3-33. Type of bees, Section 3-34. Manipulating bees restricted, Section 3-35. Exceptions from article, Section 3-36. Violation of article as nuisance, and Section 3-37. Penalty.

Chapter 3. Animals and Fowl

Article V. Beekeeping

Section 3-30. Location of apiaries.

It shall be unlawful for any person to locate, construct, reconstruct, alter, maintain or use on any lot or parcel of land within the County any hives or other enclosures for the purpose of keeping any bees or other such insects unless every part of such hive or enclosure is located at least fifteen feet from any property line and at least:

(a) seventy-five feet from a dwelling located on any adjoining property occupied by anyone other than the person maintaining the apiary;

(b) one hundred feet from any apartment, hotel, motel, office, commercial establishment, church or school; and

(c) seventy-five feet from any public highway, street, or right-of-way.

Section 3-31. Number of hives regulated.

No more than four hives or colonies of bees shall be permitted on any lot 15,000 square feet or less in size. On lots larger than 15,000 square feet one additional hive shall be permitted for each 5,000 square feet in excess of 15,000 square feet.

Section 3-32. Water supply for bees.

Every person owning, possessing or controlling an apiary shall maintain on his premises an adequate, accessible, and useable supply of water for the bees.

Section 3-33. Type of bees.

This Article shall apply to all honeybees whether or not maintained in movable frame hives and shall specifically apply to feral honeybee colonies.

Section 3-34. Manipulating bees restricted.

Hives or colonies of bees shall not be manipulated between sunset and sunrise unless the hives are being moved to or from another lot.

Section 3-35. Exceptions from article.

The provisions of this Article shall not apply to the keeping of bees within an educational institution, museum, physician's office or laboratory for the purpose of study, observation or medical research or treatment, provided that such bees are contained and not permitted to fly at large.

Section 3-36. Violation of article as nuisance.

In addition to any penalty imposed for a violation of any provision of this Article, such violation is hereby declared a public nuisance and any person suffering injury or damage therefrom may seek the correction, removal, or abatement of such nuisance through appropriate suit in equity.

Section 3-37. Penalty.

A violation of any provision of this Article shall be deemed a Class 2 misdemeanor and upon conviction shall be punishable by a fine of not more than five hundred dollars or by confinement in jail for not more than six months, or by both fine and confinement. Each day that a violation exists or continues to exist shall constitute a separate offense.

That this Ordinance shall be in full force and effect on and after October 1, 1989.

Thomas D. Mahone  
Thomas D. Mahone, Chairman  
Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NORMENT	AYE
TAYLOR	NAY
EDWARDS	AYE
DEPUE	AYE
MAHONE	NAY

Adopted by the Board of Supervisors of James City County, Virginia,  
this 7<sup>th</sup> day of August, 1989.

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