

**AN ORDINANCE AMENDING CHAPTER 91 OF THE 1988 CITY OF
SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, BY ADDING
SECTION 91.26 PERTAINING TO BEEKEEPING IN THE CITY OF
SPRINGFIELD, ILLINOIS**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, Chapter 91 sets forth provisions for animal control; and

WHEREAS, the City Council has determined that honeybees can be maintained without causing a nuisance if the bees are properly and carefully managed; and

WHEREAS, the regulation of beekeeping in the City of Springfield is in the health, safety and welfare of the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
SPRINGFIELD, ILLINOIS:**

Section 1: That the City Council hereby amends Chapter 91 of the 1988 City of Springfield Code of Ordinances, as amended, to add the following section:

CHAPTER 91. ANIMAL CONTROL

§ 91.26. Beekeeping.

(a) For purposes of this section, the term "honey bees" shall mean bees of any stage of the type customarily raised for honey domestically; such bees are known as apis mellifera species.

(b) No person shall maintain any colony of honey bees, including honey bees, comb, honey, pollen and brood, anywhere in the city without complying with the following requirements:

(1) It shall be the duty of any person keeping honey bees on property in the city to maintain each colony so as not to create a public nuisance.

(2) Honey bee colonies shall, in addition, be maintained in the following condition:

(i) All honey bee hives shall be registered with the State Department of Agriculture as required by state law.

(ii) Colonies shall be maintained in movable-frame or similar hives.

(iii) Adequate techniques, such as requeening, in handling bees, and adequate space in the hive shall be maintained to prevent unprovoked stinging ten feet or more from the hive.

(iv) Lots having less than 10,000 square feet shall not have more than four hives.

(v) Hives shall not be located within five feet of any property line, public street, sidewalk, or alley except when situated behind a solid or filled-slat chain link fence or hedge four feet in height parallel to property line; such fence shall be within three feet of the hive and shall extend at least four feet beyond the hive in all directions or shall completely enclose the hives.

(3) Any other nest or colony of stinging insects, such as yellow jackets, hornets, other varieties of bees, and wasps, including Vespidae, in trees, buildings, underground, or in any other space, diseased colony of honey bees, or any colony of honey bees not maintained in compliance with this ordinance, constitutes a public nuisance. The existence of a nest of wild bees of any type, not cultivated by any person and whose honey is not harvested by any person, shall not constitute a violation of this ordinance, unless such nest is in such location as to present a threat of stinging to any person on any public street, sidewalk, mall, park or other public place, or to any person in any parking lot, sidewalk or other place open to the public in a shopping center or other privately owned property open to the public, or to any person on adjacent private property.

Section 2: The provisions of this ordinance are severable, and if any sentence, section or other part of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

Section 3: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 3: That this ordinance shall become effective immediately upon passage and recording by the City Clerk.

PASSED: _____, 2012

SIGNED: _____, 2012

RECORDED: _____, 2012

Mayor J. Michael Houston

ATTEST: _____
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

**Requested by: Alderman Doris Turner
Alderman Cory Jobe**

Mark K. Hill 1/5/31/12
Office of Corporation Counsel / Date

ORDINANCE FACT SHEET

REQUEST FORM NO:

DATE OF 1ST READING:

June 1, 2012

OFFICE REQUESTING: Aldermen Turner & Jobe

CONTACT PERSON: Joe Davis

PHONE NUMBER: 789-2151

EMERGENCY PASSAGE: No [X] Yes [] If yes, explain justification.

[Empty box for emergency justification]

TYPE OF ORDINANCE: Amend City Code

FISCAL IMPACT:

(If amending a previous ordinance, please attach a copy of the previous ordinance)

SUGGESTED TITLE:

AN ORDINANCE AMENDING CHAPTER 91 OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, PERTAINING TO KEEKEEPING IN THE CITY OF SPRINGFIELD, ILLINOIS

Please list supporting documentation (i.e., contract, agreement, change order, bid book, etc.)

[Empty lines for supporting documentation]

CONTRACTOR / VENDOR NAME:

VENDOR NO:

CONTRACT TERM:

CONTRACT #

Change in Scope

Yes []

No []

CONTRACT AMOUNT:

(Original amount if change order)

Change Order #

Additional Amount

Method of Purchase (check one)

Previous Ord #'s

[] Low Bid

[] Other:

Is Purchasing Agent approval required? No [] Yes []

[] Low Bid Meeting Specs

[] Exception:

Is Purchasing Agent approval attached? No [] Yes []

[] Low Evaluated Bid

Code Provision:

Accounting information (if more than four accounts, please attach list)

REVENUE

Table with 6 columns: Fund, Agency, Org, Activity, Source, Amount. Rows 1-4.

EXPENDITURE

Table with 6 columns: Fund, Agency, Org, Activity, Object, Amount. Rows 1-4.

FUNDS CHECK BY:

Date:

DIRECTOR / SUPERVISOR SIGNATURE

Date:

CITY PURCHASING AGENT:

Date:

COMMENTS

Chapter 91 sets forth provisions for animal control and the City Council has determined that honeybees can be maintained without causing a nuisance if the bees are properly and carefull managed. This ordinance will add provisions to Chapter 91 regarding beekeeping.

SIGN OFF:

(Mayor's Signature)

(Director of OBM)