

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 4987

A Bylaw to Regulate the Keeping of Bees

WHEREAS pursuant to Section 8(3)(k) of the *Community Charter* and amendments thereto, a Council may, by bylaw, regulate, prohibit and impose requirements in relation to animals;

AND WHEREAS the City Council of the Corporation of the City of Vernon in open meeting assembled HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes cited as "City of Vernon Bee Keeping Bylaw Number 4987, 2006".

2. In this Bylaw:

"**Apiculture**" means the keeping and management of bees

"**Bee**" means the insect *Apis mellifera*

"**Bee Act**" means RSBC 1996, Chapter 29

"**Beehive**" means a box or receptacle with movable frames, used for housing a colony of bees

"**Beekeeper**" means a person who owns or controls bees or beehive or beekeeping equipment

"**Colony**" means queen, brood and accompanying bees

"**Hive**" means beehive equipment inhabited by live bees

"**Inspector**" means an inspector appointed under the *Ministry of Agriculture and Food Act*

3. Responsibility of a Beekeeper:

a. Beekeepers must comply with the *Bee Act* or other applicable standards adopted by the Province of British Columbia.

b. Beekeepers or persons on whose property bees are kept have the duty to take reasonable measures to ensure that:

i. the apicultural operation does not pose a safety risk to persons on adjacent public or private property.

ii. the potential for damage to buildings and/or property located on adjacent public or private property as a result of the apicultural

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operation
is
minimized.

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4. General Regulations:

- a. This bylaw only applies to apicultural operations located in zones in which Apiculture is a listed Primary Use in the City of Vernon Zoning Bylaw #5000:
 - i. A1 – Agriculture within the ALR
 - ii. RR – Rural Residential
- b. On properties zoned RR – Rural Residential , less than 0.4 hectares (1.0 acres) in size, the maximum number of colonies that may be kept on the property is 20.
- c. On properties zoned RR – Rural Residential, greater than 0.4 hectares (1.0 acres) in size, the maximum number of bees that may be kept on the property is 50 colonies per hectare.
- d. On properties zoned RR – Rural Residential, a beehive may not be placed within 7.5 meters (24.6 feet) of any property line except:
 - i. when the beehive is situated at least 2.5 meters (8.2 feet) above the adjacent property level, or
 - ii. when the beehive is situated at least 2.0 meters (6.6 feet) above the adjacent property level and is situated behind a solid fence or a natural barrier (such as shrubbery or a hedge) at least 2.0 meters in height running parallel to the property line and extending at least 1.5 meters (5 feet) beyond the beehive(s) in both directions.
- e. On properties zoned RR – Rural Residential, the following activities are exempt from paragraph 4.b and 4.c. of this bylaw:
 - i. The over-wintering of hives between October 15th and February 15th.
 - ii. The temporary storage of bees for periods of less than 48 hours between February 15th and October 15th.
- f. On properties zoned A1 - Agriculture within the ALR, the beekeeper must follow normal farm practices.
- g. This bylaw is superseded by Part 2 – Right to Farm of the Farm Practices Protection (Right to Farm) Act.
- h. As per Part 2 – Right to Farm of the Farm Practices Protection (Right to Farm) Act, on properties zoned A1 - Agriculture within the ALR:

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- i. a
beekeeper
is not
liable in nuisance to any person for any odour, noise, dust or other
disturbance resulting from the farm operation, and
 - ii. a beekeeper must not be prevented by injunction or other order of a
court from conducting that farm operation provided the farm
operation is conducted in accordance with normal farm practices.
- i. For the purposes of this bylaw, normal farm practices will be defined on a
case by case basis by the Farm Industry Review Board.
 - j. On properties zoned A1 – Agriculture within the ALR, a beehive may not
be placed within 7.5 meters (24.6 feet) of any adjacent property line
except:
 - i. when the adjacent property is Zoned A1 – Agriculture within the
ALR, or
 - ii. when there are no residential, commercial, industrial or institutional
building located within 7.5 meters (24.6 feet) of the location where
the hives are placed.
 - k. The temporary placement of hives for the pollination of agricultural crops
is exempt from this bylaw.
 - l. A Bylaw Enforcement Officer or Inspector may, at all reasonable times,
enter upon any property on which hives are kept in order to determine
compliance with this bylaw.

5. Offence and Penalties:

- a. Any person who violates a provision of this Bylaw is guilty of an offence
and is liable to a fine and penalty of not less than \$100.00 and not more
than \$5,000.00 upon summary conviction.

READ A FIRST TIME this 9th day of January, 2006.

READ A SECOND TIME this 9th day of January, 2006.

READ A THIRD TIME this 9th day of January, 2006.

RESCIND THIRD READING this 13th day of March, 2006.

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THIRD READING AS
AMENDED this 13th day of
March, 2006.

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ADOPTED this 27 day of March, 2006.

"Wayne Lippert"

Mayor:

"Patti Bridal"

City Clerk: