

ORDINANCE NO. 1286

AN ORDINANCE OF THE CITY OF REDLANDS RELATING
TO AND REGULATING THE LOCATION OF APIARIES

Title 5 Chapter 56 Section 562 of the Welfare
Ordinance, Redlands Ordinance Code, is amended to add
sections 5621.1 to 5621.10 attached hereto.

This ordinance shall be in force and take effect as
provided by law.

The City Clerk shall certify to the passage of this
ordinance and shall cause the same to be published once
in the Redlands Daily Facts, a newspaper designated for
that purpose.

ADOPTED, SIGNED AND APPROVED this 16th day of March,
1965.

ATTEST:

Hazel M. Soper
City Clerk

s/ Waldo F. Burroughs
Mayor of the City of Redlands

APPROVED FOR FORM:

s/ Edward F. Taylor
City Attorney

I hereby certify that the foregoing ordinance was duly
adopted by the City Council, City of Redlands, at a regular
meeting thereof held on the 16th day of March, 1965
by the following vote:

AYES: Councilmen Wagner, Hartzell, Cummings; Mayor Burroughs
NOES: None
ABSENT: Councilman Martinez

Hazel M. Soper
City Clerk

Sec. 5621.1 DEFINITIONS. For the purpose of this ordinance certain terms used herein are defined as follows:

(A) BEEES mean honey-producing insects of the species *apis mellifica* and include the adults, eggs, larvae, pupae or other immature stages thereof, together with such materials as are deposited into hives by their adults, except honey and rendered beeswax.

(B) APIARY includes bees, comb, hives, appliances or colonies wherever the same are kept, located or found.

(C) HIVE means any receptacle or container, or part thereof, made or prepared for the use of bees or inhabited by bees.

(D) APPLIANCE means any implement or other device used in handling and manipulating bees or their brood, or containers thereof.

(E) COMB includes all materials normally deposited into hives by bees except extracted honey or royal jelly, trapped pollen, and processed beeswax.

(F) COLONY means one hive and its contents, including bees, comb and appliances.

(G) LOCATION means any premises upon which an apiary is located.

Sec. 5621.2 LOCATION AND KEEPING OF APIARIES

(A) All apiaries owned and kept within the City of Redlands shall be kept and located at a place at least 100 feet from all public roads (traveled portion) unless there are natural barriers to prevent bees from causing a nuisance or hazard to persons using the road.

(B) All apiaries owned and kept within the City of Redlands shall be kept and located at a place at least 600 feet distant from the nearest house or building inhabited as a dwelling and shall not be kept and maintained at a lesser distance thereto unless the owner of said apiary first procures permission from the occupant or person using said building or house as a dwelling so to do.

(C) All apiaries owned and kept within the City of Redlands shall be arranged behind barriers (natural or otherwise) near school yards or places where people congregate to cause bees to fly at a high altitude over such school yard or place where people congregate.

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(D) No apiary shall be kept or located upon the lands of another without the owner or the person in possession of said apiary first procuring permission of the owner of said lands to place said apiary thereon.

Sec. 5621.3 TIME LIMIT. No apiary shall be located within the City of Redlands before March 15 and not later than May 20 of any year.

Sec. 5621.4 COLONIES. Sections (2B) and 3 of this ordinance shall not apply to apiaries of 10 colonies or less providing they do not become a public nuisance.

Sec. 5621.5 WATER SUPPLY. An adequate water supply must be furnished and kept available to all apiaries at all times. Such water supply must be available before or at the time such apiaries are placed within the city, unless there is a stream or reservoir closer than any other source.

Sec. 5621.6 IDENTIFICATION SIGNS. Every person owning an apiary located on premises other than where he resides shall identify such apiary by a sign prominently displayed on the entrance side of the apiary stating in black letters name of the owner or person in possession of the apiary, his address and telephone number or if he has no telephone, a statement to that effect.

Sec. 5621.7 NOTICE OF VIOLATION. Any person who violates any provision of this chapter may be served with a written notice to cease or remedy such violation by any law enforcement officer of the county. Said notice shall require that such person cease or remedy the violation within 48 hours. Any person who fails to cease or remedy the violation within said 48 hour period is guilty of a misdemeanor. The notice required by this section shall be served personally on such person or, if he cannot be readily found shall be served by mail (return receipt requested) or, if he cannot be served by mail, then service shall be accomplished by posting such notice on a conspicuous place on or near the apiary where the violation occurred. The 48 hour period for which such notice provides shall commence to run from the time on the day such notice is served pursuant to this section.

Sec. 5621.8 ABATEMENT OF NUISANCE. If the Chief of Police determines that the violation of any provision of this ordinance constitutes a public nuisance to the extent that the health, safety or welfare of the public is endangered through such violation the Chief of Police may forthwith take such steps to abate such nuisance as to him seems necessary and proper in the circumstances; provided, however, that the Chief of Police shall not cause the destruction of any bees or any apiary unless in his opinion the nuisance cannot otherwise be effectively and timely abated.

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Sec. 5621.9 SEVERABILITY. If any section, subsection, clause or phrase of this ordinance for any reason is held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance shall not be affected thereby.

Sec. 5621.10 PENALTY. Every person, firm or corporation, as principal, agent or employee violating any of the provisions in section .2 to .7, inclusive, of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$500.00 or by imprisonment not exceeding six months, or by both such fine and imprisonment, and every person, firm, or corporation shall be deemed guilty of a separate offense for each day during any portion of which any violation of any of the provisions of said sections is committed, continued or permitted by such person, firm or corporation and shall be punished therefor as provided herein.