

GADSDEN CITY MUNICIPAL ORDINANCE

Sec. 10-66. - Keeping bees.

- (a) *Restriction.* It shall be unlawful to keep, harbor or maintain the common domestic honey bee, *Apis mellifera*, species within 300 feet of any residence, school, church, hospital, public building, park, playground or body of water, except as provided in subsection [10-66\(b\)](#).
- (b) *Requirements for permitted beekeeping:*
- (1) A solid wall, solid fence, dense vegetation or a combination of them at least six feet in height that is parallel to the property line shall be placed within ten feet of the entrance to a beehive or other device or structure used to house the bees and shall and in all directions so that the bees are forced to fly at an elevation of at least six feet above ground level over the property lines in the vicinity of the colony.
 - (2) Beekeepers shall provide a convenient source of water available at all times, especially when the colonies are actively rearing brood, and in times of extreme heat, on the same property within 25 feet of each beehive. A single water source may be used for multiple hives.
 - (3) The beekeeper shall take reasonable measures to prevent the swarming impulse of kept bees.
 - (4) All hives must comply with the provisions of state law, currently Code of Ala. 1975, § 2-14-1 et seq., along with any regulations adopted by an agency of the State of Alabama.
 - (5) If a colony exhibits aggressive or swarming behavior, the beekeeper must ensure that the colony is re-queened. Aggressive behavior is any instance in which unusual aggressive characteristics such as stinging or attacking without provocations occurs.
 - (6) Beekeepers shall maintain no more than the following number of colonies of bees in the following size lots:
 - a. Less than one-fourth acre (10,890 square feet): One colony.
 - b. One-fourth to one-half acre (10,890—21,780 square feet): Two colonies.
 - c. One half-acre to one acre (21,780—43,560 square feet): Four colonies.
 - d. Greater than one acre lots: The number of colonies will be set by animal control on an individual basis, up to a maximum of eight colonies.
- (c) *Violations declared nuisance.* Any beehive or other device or structure (natural or manmade) used to maintain such bees or occupied by such bees that is not in compliance with this section is declared to be a nuisance. It shall be unlawful to maintain any such nuisance and such nuisance shall be abated as provided by this Code.

(Code 1982, § 5-6; Ord. No. O-36-11, § 1, 10-4-2011)