

ORDINANCE NO. 2015-37

AN ORDINANCE amending Sections 10.012, 10.314, 10.337, and 10.813 of the Medford Code pertaining to beekeeping.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

SECTION 1. Section 10.012 of the Medford Code is amended to read as follows:

10.012 Definitions, Specific.

When used in this chapter, the following terms shall have the meanings as herein ascribed:

\* \* \*

**Beekeeping Terms.**

**Bee.** Any stage of the common domestic honey bee, *Apis mellifera*.

**Beekeeper.** A person who raises honeybees; apiculturist.

**Beekeeping.** The rearing and breeding of honeybees; apiculture.

**Colony.** A hive and related equipment and appurtenances including bees, comb, honey, pollen, and brood.

**Hive.** A shelter constructed for housing a colony of honey bees.

**Swarm.** A group of bees when migrating with a queen to establish a new colony.

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SECTION 2. Section 10.314 of the Medford Code is amended to read as follows:

10.314 Permitted Uses in Residential Land Use Classification.

\* \* \*

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
* * *									
6. NONRESIDENTIAL SPECIAL USES									
* * *									
<b>(n) Beekeeping</b>	<b>Ps</b>	<b>Ps</b>	<b>Ps</b>	<b>Ps</b>	<b>Ps</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>10.813 (C)</b>

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SECTION 3. Section 10.337 of the Medford Code is amended to read as follows:

10.337 Uses Permitted in Commercial and Industrial Zoning Districts.

\* \* \*

02 **AGRICULTURAL PRODUCTION-LIVESTOCK.** This major group includes farms, ranches primarily engaged in the keeping, grazing, or feeding of livestock for the sale of livestock. As used herein, the term livestock refers only to cattle, sheep, and goats; also included are animal specialties, such as horses, bees, fish in captivity.

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
021	Livestock, except Dairy and Poultry	X	X	X	X	X	X	X	X
024	Dairy Farms	X	X	X	X	X	X	X	X
025	Poultry and Eggs	X	X	X	X	X	X	X	X
027	Animal Specialties	X	X	X	X	X	X	X	X
<b>0279</b>	<b>Beekeeping</b>	<b>Ps</b>							
029	General Farms, Primarily Livestock	X	X	X	X	X	X	X	X

The special use reference for beekeeping corresponds with Section 10.813, Agricultural Services and Animal Services.

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SECTION 4. Section 10.813 of the Medford Code is amended to read as follows:

10.813 Agricultural Services and Animal Services.

\* \* \*

**C. Beekeeping.**

The City recognizes the many benefits of bees including pollination services and useable products such as honey and wax. The keeping of bees is permitted in the single-family residential districts, and commercial and industrial districts in the city limits subject to the following standards:

- (1) Registration with the Medford Planning Department is required in order to keep beehives within the city limits.
- (2) Number of Hives Permitted.
  - (a) A maximum of three hives on a property less than one acre.
  - (b) A maximum of six hives on a property between one and two acres.
  - (c) For properties over two acres, an additional three hives per acre are permitted.
- (3) A beekeeper who owns five or more hives is required by the State to register them with the Oregon Department of Agriculture.
- (4) Bees shall be kept in hives with removable frames or combs, which shall be kept in sound and usable condition.
- (5) For each colony permitted to be maintained under this ordinance, one temporary nucleus colony in a hive structure not to exceed one standard 9-5/8-inch-depth, ten-frame hive body may also be maintained on the same property.
- (6) Hives shall not be placed within a required front, side, rear, street side, or buffer yard.
- (7) When a beehive is located less than 20 feet from a property line, a flyway barrier at least six feet in height shall be maintained parallel to the property line for a minimum of five feet in either direction of the hive. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that bees will fly over rather than through the material to reach the colony.
- (8) A constant supply of fresh water shall be provided for the colonies on site within 15 feet of each

hive.

(9) Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the property. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.

(10) If the beekeeper serves the community by removing a swarm or swarms of honey bees from locations where they are not desired, the beekeeper shall be permitted to temporarily hive the swarm on their property for up to 30 days from the date acquired, at which time the hive limit requirements of Section C.2 apply once more.

(11) Products generated on site by bees, such as honey, shall be permitted to be sold on the property per applicable business license and/or home occupation regulations; however, no outdoor sales are permitted.

(12) A beekeeper shall not locate or maintain a hive on property owned by another person without first obtaining written permission from the property owner or person lawfully in possession of the property.

(13) A beekeeper shall immediately replace the queen in a hive that exhibits aggressive characteristics, including stinging or attempting to sting without provocation.

(14) Only docile common honey bees shall be permitted. African honey bees or any hybrid thereof are prohibited.

(15) A person may not keep a hive that causes a threat to human or animal health, or interferes with normal use and enjoyment of public or private property.

(16) Violation of Section 10.813(C) constitutes a violation. Every day in which the violation exists constitutes a separate violation.

(17) A violation of Section 10.813(C) is declared to be a public nuisance, and may be abated in the manner provided for in Section 5.520 of the Medford Code.

PASSED by the Council and signed by me in authentication of its passage this 7 day of May, 2015.

ATTEST:       /s/Glenda Wilson  
                  City Recorder

/s/Gary H. Wheeler  
                  Mayor

APPROVED    May 7, 2015.

/s/Gary H. Wheeler  
                  Mayor

NOTE: Matter in **bold** in an amended section is new. Three asterisks (\* \* \*) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.