

CITY OF SAN CARLOS
BEEKEEPING PRACTICES
ADMINISTRATIVE POLICY

PURPOSE:

The City supports an efficient and humanely enforced animal control program specified in Chapter 6.04 of the City of San Carlos Municipal Code. The purpose of this policy is to protect the interests of San Carlos residents and to reinforce public health, safety and welfare, by adopting consistent and standard procedures for beekeeping practices.

As the Municipal Code affords responsibilities for Animal Control program to Police Chief or his/her designee, this policy is issued with the authority of the Chief of Police to designate the Community Development Director to enforce policies, procedures, rules and regulations as they relate to beekeeping practices within San Carlos city limits.

This policy supplements the Animal Control Chapter 6.04 of the Municipal Code. The Municipal Code governs in the event of any conflict.

DEFINITIONS:

“Beekeeping” is defined as the maintenance of honey bee colonies in hives by humans. A beekeeper keeps bees in order to collect honey and beeswax for the purpose of pollinating vegetation, to produce bees for sale to other beekeepers, and/or for purpose satisfying natural scientific curiosity.

“Bee colony” is the group of bees which consists of the queen, the drones, and the workers, which live in the box or similar receptacle.

“Hive Box” means any box, receptacle, or container made or prepared for the use of bees, or similar container of which bees have taken possession. A hive box is usually called a Langstroth deep or super, and is roughly 19.75 inches long, 16.5 inches wide, and 9.5 inches tall. It contains 10 frames of foundation on which the bees build comb for producing brood and food. A hive box requires some kind of top board, some kind of bottom board, and an entrance which is usually incorporated in the bottom board.

BEEKEEPING PERMIT

It is unlawful for any person to keep, maintain sell or trade any hive of bees on any lot or parcel within the City without first obtaining a permit under the Animal Control Chapter, Section 6.04.330 of the Municipal Code.

The purpose of the beekeeping permit is to provide appropriate review and consideration of small scale beekeeping under the direction of the Community Development Director or his/her designee, and to ensure that beekeeping on certain-sized parcels in single-family residential zones will not be detrimental or injurious to property and to the health, safety, and welfare of persons residing or working in the neighborhood of the proposed use.

A. Permit Requirements

1. A permit may be granted only if all of the criteria for the use specified in Section 6.04.340 of the Municipal Code and this policy are met.
2. Application for a beekeeping permit must be made on the form prescribed for this purpose by the City and filed with the Community Development Department. The application must be signed by an owner or lawful tenant of the lot or parcel for which the application is submitted.
3. The application must be accompanied by such maps, site plans, and other drawings, or information required or necessary to enable the Community Development Director or his/her designee to make the determinations.
4. No more than two (2) hives may be maintained on any lot or parcel. One (1) bee colony and/or hive box will be allowed in single-family residential parcels which are greater than 10,000 square feet in size, provided, that for every 10,000 feet in excess of 10,000 square feet, there may be one additional hive.
5. No hive may be kept or maintained within ten (10) feet of any property line on the lot or parcel upon which such hives are suitable, or within fifty (30) feet of any dwelling unit other than occupied by the person maintaining the hive(s).
6. Hives entrances must be oriented to face a house or building on the premises. Hive must be located in an area of the property which is surrounded by a solid fence not less than six (6) feet in height.
7. All properties must provide constant water supply adequate to the needs of all hives located on the premises.
8. Every person maintaining bees on the premises shall identify the bee hives by affixing and maintaining a sign on the property entrance showing the name of the owner, and his address and telephone number. The sign shall be lettered in black at least one inch in height on a white or light background.
9. The Community Development Director or his/her designee shall inspect the premises upon which the bee hives are to be located and determine that the premises meet the conditions specified in this policy and that the issuance of a permit will not be detrimental to the public health, safety and welfare.
10. The permit is valid for a period of twelve (12) months from the date of issuance and is subject to renewal and approval each year pending conditions and requirements existing as of the date of renewal.
11. The permit may not be sold, assigned or transferred, and may cover only the premises designated and the person to whom the permit was originally issued.
12. The filing fees for the permit application, inspection and signage must be determined under the City's Uniform Fee Schedule and adopted by resolution of the City Council. No application may be accepted as complete until all fees have been paid.

ENFORCEMENT:

Community Development Department has the right to inspect the premises of each bee keeper at such additional times as it deems necessary. The Community Development Director or his/her designee may investigate or require any further information or documentation, which would assist in determining whether the statements made by the applicant are correct and whether the permit should be issued.

B. Denial or Revocation of the Permit

Community Development Director or his/her designee may deny or revoke a permit issued pursuant to this policy in any of the following situations:

1. It was determined by inspection of the premises where the hive(s) are maintained that the applicant cannot comply with the requirements of this policy, the Municipal Code, or applicable State law, or the permit holder is in violation of the permit conditions.
2. The beekeeper refuses to permit the animal control officer a reasonable right of inspection of the premises to ensure compliance with applicable State law, the Municipal Code, and this policy.
3. The beekeeper fails to file an application for permit renewal or pay the permit fee prior to the permit anniversary date.
4. Community Development Director or his/her designee has a reason to believe that the applicant or permit holder has willfully withheld or falsified any information required for a permit.
5. The proposed beekeeping use, location of the bee colony/hive box, its effect, and the resulting number of beekeeping permits in a neighborhood will be detrimental or injurious to property and to the health, safety, and welfare of persons residing or working in the neighborhood of the proposed use.

PERMIT REVOCATION PROCESS:

Per Section 6.04.360 of the Municipal Code, a permit may be revoked or suspended in the following manner: A notice of intention to revoke beekeeping permit shall be mailed to the applicant specifying wherein he/she has failed to comply with any terms or conditions specified in the permit, the Municipal Code, this policy, or any other law. The notice will require the permittee to appear before the City Manager at a date and hour specified not less than five days after the mailing of such notice to the permittee, and showing cause why the permit should not be revoked or suspended. At such time and place, the permittee shall have the right to appear in person or by counsel and introduce such evidence as he/she may desire. A permittee dissatisfied with the decision may appeal to the City Council which shall hold a public hearing on the matter. The City Council may continue the hearing from time to time. The decision of the City Council shall be final.