

**TOWN OF CEDARBURG
ORDINANCE NO. 2013-8**

An Ordinance to Amend Chapters 95 and 320 in regards to the keeping of bees in residential districts in the Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin.

WHEREAS, The Town of Cedarburg is a body corporate and politic; and

WHEREAS, the Town Board exercises village powers by Ch. 61, Wis. Stats.; and

WHEREAS, the Plan Commission has reviewed the Town Code regarding the keeping of bees on residential properties, has reviewed ordinances regulating the keeping of bees for other Wisconsin communities, has reviewed this ordinance, and has made a favorable recommendation to the Town Board for its adoption; and

WHEREAS, the Town Board held a public hearing regarding the proposed amendments, a notice of which was published twice, once at least ten days prior to the date of the hearing,

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that Chapters 95 and 320 of the Town of Cedarburg Code of Ordinances are hereby amended to read by amending Sec. 95-23 and Sec. 320-109 as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 95-23. Keeping of bees.

A. It shall be unlawful for any person to establish or maintain any hive, stand or box where bees are kept or keep any bees in or upon any premises within the limits of the Town, except in an agriculturally zoned area or as otherwise specified herein, and unless the bees are kept in accordance with the following provisions:

(1) Fresh, clean watering facilities for bees shall be provided on said premises.

(2) The bees and equipment shall be kept in accordance with the provisions of the state statutes.

B. Nothing in this section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located within a school or university building for the purpose of study or observation.

C. Bees may also be kept on residentially zoned properties as a permitted accessory use, subject to any private restrictions, land covenants, homeowners association and/or subdivision rules and regulations, under the following conditions:

(1) License required.

(a) The keeping of bees on residentially zoned properties is allowed as provided under the requirements of this Section. No person shall keep bees without obtaining a license or in a manner contrary to the regulations under this Section.

(b) Licenses issued under this Section shall authorize beekeeping only by or under the direct supervision of the individual to whom the license is issued. Licenses shall further authorize beekeeping only on the property for which the license is issued.

(2) Application. Applications for a license to keep bees shall be made to, and on a form prescribed by, the Town Clerk. The application must include a proposed site plan for the hives that shows compliance with all applicable requirements under this section. The application shall include a sworn statement that the applicant has notified all owners and occupants of properties located within 500 feet of the subject property at least 10 days immediately preceding the application advising that the applicant intends to apply for a license to keep bees in accordance with this Section. A fee shall be charged for the license per the Town Fee Schedule.

(3) Rules. No bees shall be kept except in accordance with the following conditions:

- (a) No bees shall be intentionally kept and maintained other than honey bees.
- (b) No hive shall exceed 20 cubic feet in volume.
- (c) No more than 10 hives may be kept on a single parcel or single group of adjacent parcels in common ownership functioning as a single parcel in common use.
- (d) No hive shall be located closer than 25 feet from any property line of a property in different ownership, nor shall they be located in the front or street yard.
- (e) An ever-present supply of water shall be provided for all hives.

(4) Revocation. A license may be revoked by the Town if the licensee violates any provision of this section, or any other applicable Town ordinance related to the bees. A new license cannot be issued to the licensee or the licensee's property until one (1) year after the date of revocation.

(5) Penalty. Any person found to have violated this Section shall be subject to forfeitures and penalties under Sec. 1-3 of the Town Code.

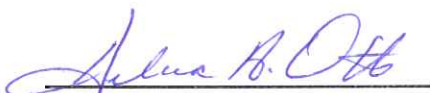
§ 320-109.Placement restrictions in residential districts.


F. Bees and bee hives may be permitted as an accessory use on residential zoned properties per a license issued under Section 95-23.

**(The above text modified with a strikethrough shall be deleted).
(The above text modified with an underline shall be added).**

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 10th day of July, 2013.


Debra Otto
Town Clerk


David M. Valentine
Town Chairman