

OFFERED BY COUNCILOR RUTHZEE LOUIJEUNE, BREADON, COLETTA, DURKAN, FERNANDES ANDERSON, FITZGERALD, MURPHY, PEPÉN, SANTANA, WEBER, AND WORRELL



## CITY OF BOSTON IN CITY COUNCIL

### AN ORDINANCE WITH RESPECT TO HONEY BEES

- WHEREAS,** Honey bees play a critical role in our food system, as they provide the pollination for over 85 different crops and contribute to 35% of global food production. Accordingly, without honey bees the agricultural system would collapse; *and*
- WHEREAS,** Honey bees enable the production of a wide array of foods, helping to stabilize and diversify ecosystems and further provide support for human habitats and high quality nutrients. Honey bees also contribute to livestock production through the pollination of forage plants such as alfalfa and clover; *and*
- WHEREAS,** Honey bees contribute to the greater biodiversity within urban cities by supporting and strengthening plant and tree growth through pollination, and are also indicator species, where they provide critical information on the health and habitat of our environment; *and*
- WHEREAS,** Honey bee populations have been on a steady decline, whereby city environments can provide alternative spaces for honey bees to maintain healthy habitats as they have access to protected areas, providing themselves with security while also generating a consistent diet and stronger biodiversity for its surroundings; *and*
- WHEREAS,** There are collective and individual environmental and health benefits to urban beekeeping, whereby bee pollination results in a decrease in pollution as their pollination contributes to keepings waterways clean, preventing soil erosion, encouraging oxygen production, and absorbing CO<sub>2</sub>; *and*
- WHEREAS,** Residents and businesses in Boston are already hosting bee hives on their rooftops and backyard as local interest in beekeeping has only increased during the pandemic; ***NOW, THEREFORE BE IT***
- ORDERED:** That the Boston City Council, by and through Councilor Ruthzee Louijeune, submits a petition to amend the City of Boston Code.

## An Ordinance Regulating the Keeping of Honey Bees

*Be it ordained by the City of Boston, as follows:*

### **SECTION 1.**

The City of Boston Code, Ordinances, Chapter 16, Section 1.27, shall be created as follows;

#### 16-1.27 Honey bees

- a. Purpose
  - i. The purpose of this ordinance shall be for the regulation and enforcement of keeping honey bees.
- b. Definitions
  - i. Hive - a manufactured receptacle or container prepared for the use of Honey bees that includes movable frames, combs and substances deposited into the Hives by honey bees.
  - ii. Honey bee - a subset of bees in the genus *Apis*, primarily distinguished by the production and storage of honey and the construction of perennial, colonial nests out of wax.
  - iii. Colony - means a natural group of honey bees having a queen or queens.
- c. Permit Required; Application Fee
  - i. Keeping of honey bees shall require a permit issued by the Inspectional Services Department pursuant to the regulations set forth in Section 16-1.27(d).
  - ii. The application fee shall be fifty (\$50.00) dollars.
- d. Regulations
  - i. The maximum number of Hives on any given lot or roof shall be five (5).
  - ii. No Hive shall exceed six (6) feet in height and twentyfour (24) cubic feet in size on any lot or roof. No Hive will be placed on a roof that is not designed, intended and permitted by ISD for access and occupancy.
  - iii. Where there is a wall, fence or similar barrier between the subject property and adjacent property, no setback from the property line is required. Where there is no wall, fence or similar barrier between subject property and adjacent property, Hives shall be set back five (5) feet from the property line.
  - iv. Hives shall not be located in the front yard or in a side yard that abuts a street in all residential and commercial zoning districts and subdistricts.
  - v. No Hive shall be located closer than ten (10) feet from a public sidewalk.
  - vi. For any ground level Hive that is within twenty (20) feet of the doors and/or windows of the principal building on an abutting Lot, either of the following conditions must exist:
    1. The Hive opening must face away from doors and/or windows; or
    2. A flyway of at least six (6) feet in height comprising of a lattice fence, dense hedge or similar barrier must be established in front of the opening of the Hive such that the honey bees fly upward and away from

neighboring properties. The flyway shall be located within three (3) feet of the entrance to the Hive and shall extend at least two (2) feet in width on either side of the Hive opening.

- vii. Hives shall be set back six (6) feet from the edge of the roof.
  - viii. For any roof level Hive that is within twenty (20) feet of the doors and/or windows of the principal building on an abutting Lot, either of the following conditions must exist:
    - 1. The Hive opening must face away from doors and/or windows; or
    - 2. A flyway of at least six (6) feet in height comprising of a lattice fence, dense hedge or similar barrier must be established in front of the opening of the Hive such that the honey Bees fly upward, and away from neighboring properties, and safely secured. The flyway shall be located within three (3) feet of the entrance to the Hive and shall extend at least two (2) feet in width on either side of the Hive opening.
  - ix. Beekeepers shall adhere to appropriate beekeeping practices including:
    - 1. Maintaining bee colonies in hives that are kept in good working condition.
    - 2. Ensure a constant and adequate water source.
    - 3. Responding and taking immediate action as to any bee swarms
    - 4. Seeking to remediate any nuisance conditions.
  - x. All beekeeping shall comply with applicable State laws and regulations. Nothing about this ordinance is intended to waive or amend the requirements of CBC 9-9.13 Regulating Access to Roof Areas of Buildings with Residential Units. To the extent the provisions of this ordinance conflict, CBC 9-9.13 shall control.
- e. Exceptions
- i. Any exceptions to this section must be approved by petition to the Inspectional Services Department, in a manner and form determined by the Department. Waiver or exemption to any provision of this Section shall be granted at the sole discretion of the Commissioner of Inspectional Services or designee.
- f. Enforcement
- i. The Inspectional Services Department may promulgate rules and regulations necessary for the implementation and enforcement of this ordinance.
  - ii. Enforcement of this section may be by written warning and/or revocation of the permit, provided that this section shall not preclude the City of Boston from proceeding to restrain a violation of the terms of the permit by injunction.

## **SECTION 2.**

This ordinance shall take effect after passage of docket 2024-XXX by the Boston Zoning Commission.