**TOWN OF BELLMONT**

**COUNTY OF FRANKLIN, STATE OF NEW YORK**

**PROPOSED LOCAL LAW \_\_ of 2025**

**A LOCAL LAW REGULATING BEEKEEPING IN THE TOWN OF BELLMONT**

Be it enacted by the Town Board of the Town of Bellmont, as follows:

**Section 1. Legislative Intent.**

The Town Board of the Town of Bellmont (the Town”) has found that unregulated beekeeping in the Town has the potential to negatively impact the health, safety and welfare of the citizens, residents and taxpayers of the Town. The purpose of this local law is to preserve the character of the Town by providing for a regulations on the keeping of bees in the Town.

**Section 2. Statement of Authority.**

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the provisions of the Statute of Local Governments, the relevant provisions of the Town Law of the State of New York, and the general police power vested with the Town Board, to promote the health, safety and welfare of all citizens, residents and taxpayers of the Town.

**Section 3. Definitions.**

As used in this local law, the following terms shall have the meanings indicated:

APIARY – A place where beehives are kept, especially for raising of bees for honey.

BEES – All life stages of the domestic honey bee.

COLONY- A hive and its equipment and appurtenances, including bees, comb, honey, pollen and brood.

HIVE or BEEHIVE – The receptacle constructed to inhabited or intended to be inhabited by a bee colony, or used by a bee colony.

PERSON – The owner of the apiary, and in his or her absence or inability to be identified, the owner of the property where such apiary is located.

**Section 4. Minimum Requirements.**

No person shall keep any apiary in the Town except in compliance with this local law.

1. Each apiary shall be kept in appropriately sized, designed and maintained apiaries with removable frames, which shall be kept and maintained at all times in sound and usable condition.
2. Each apiary shall be labeled by the beekeeper with the name/contact information of the responsible beekeeper and alternate emergency contact information, which information shall be visible from a distance of no less than fifteen (15) feet from the apiary as well as visible from the road.
3. An independent and reliable source of water shall be provided on the property housing the bee colony within a reasonable distance from the apiary in order to encourage use by the bee colony.
4. An appropriate flight barrier shall be located in proximity to the entrance of the apiary to encourage an upward flight pattern for all bees in the bee colony as they enter and depart the apiary.
5. Beekeepers must engage in all appropriate best practices to avoid creating a beekeeping-related nuisance. Beekeepers must be prepared at all times to respond immediately and to remediate all nuisance conditions, including but not limited to:
   1. Bees from bee colonies that injure or threaten injury to persons, domestic pets, or property;
   2. The presence of bees from bee colonies on neighboring or nearby properties in significant quantities, except that behavior necessary to the routine of foraging for pollen by bees shall not constitute per se nuisance behavior.
   3. Bees from bee colonies that engage in aggressive, swarming or similarly objectionable behavior;
   4. A bee colony housed in an apiary which is placed so that the apiary or bee movement to/from such apiary unreasonable interferes with pedestrian traffic or persons residing on or adjacent to the property upon which such apiary is located;
   5. An apiary which is overcrowded, diseased, abandoned or maintained in any condition or location where the bee colony cannot thrive.

**Section 5. Duties of Persons Keeping Apiaries**

It shall be the duty of every person keeping or managing one or more apiaries to: (1) be educated in and strictly adhere to best management practices; (2) maintain bees, bee colonies and hives, and apiaries in a location and condition that will prevent diseases, abandonment of the hive by the bee colony, and swarming, and will discourage the potential for aggressive behavior and other nuisance behaviors, including but not limited to those defined in this article; and (3) to be able to respond immediately to control bee swarms and to remediate any nuisance conditions.

**Section 6. Enforcement.**

Notwithstanding compliance with the requirements of this local law, it shall be unlawful for any person to keep any apiary, beehive, or colony in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others, or interfere with the normal use and enjoyment of any public property or property of others. Any person who violates any provision of this local law shall be subject to a fine not exceeding $250 per day. Each day of violation shall be considered a separate violation of this local law. In addition, the Town code enforcement officer and in his or her absence or failure to act, the Town Supervisor, may require the removal of any bee apiary, beehive or colonies that are found to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others, or interfere with the normal use and enjoyment of any public property or property of others. If an apiary, beehive or colony is not removed within 14 days of being directed to do so by the Town code enforcement officer or Town Supervisor as provided for above, The Town may remove or cause to be removed the apiary, beehive or colony and charge the owner thereof with all costs incurred by the Town for such removal. If the person does not pay within 30 days of notification of the charges, the charges shall be assessed against the property and become a lien on the property and collected in the same manner as delinquent taxes.

**Section 7. Severability.**

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

**Section 8. Effective Date.**

This local law shall become effective upon filing in the office of the Secretary of State.