



CITY OF BRAINERD
 501 LAUREL STREET
 BRAINERD, MN 56401
 218-828-2309
WWW.CI.BRAINERD.MN.US

ANNUAL BEE KEEPING PERMIT

Permit No: _____
 Date Filed: _____
 Permit Fee: \$40.00
 Receipt No: _____

Please provide the following information and signatures	
Printed name of Applicant/Beekeeper	Applicant Address
Address where bees are to be kept	Application submittal date
Applicant phone	Applicant email
Applicant signature	

A. Read and initial each item.

_____ I understand that the City will send notices of my permit application to all neighbors within 150 feet of my property lines. If no written objections are received by the City within 10 days of mailing, the Planning Department may issue the permit. If any written objections are received within that time, the City Council must review the permit application for approval.

_____ I have read, understand, and will abide by the Standards of Practice for beekeeping found in City Code, Section 900. [See attached Ordinance 1464]

B. Apiary plan.

Please attach a scaled sketch with the proposed apiary improvements. This sketch should include the location of your house, your lot lines, all colonies, the water source, the location of any immediately adjacent houses, and the location of any required flyways.

C. Sale of honey.

- a. I intend to sell honey produced on-site from my home. yes no
- b. If I intend to sell site-produced honey from my home, then I have read and understand City Code Section 900.
 _____ (If you answered yes please initial here.)

D. Beekeeping training.

Please explain how you meet the beekeeping training requirement. Also, attach a copy of your certificate of completion or other applicable documentation.

FOR OFFICE USE:		
Notices mailed on: _____	Objections received:	Yes No
Number of colonies allowed with this permit: _____	Is flyway required:	Yes No
Permit Approved: Yes No By: _____	Permit fee paid:	Yes No
Permit valid until: _____		

**ORDINANCE
NO. 1464**

**AN ORDINANCE AMENDING SECTION 900 OF THE BRAINERD CITY CODE RELATED TO
CHICKENS AND BEE KEEPING AND SECTION 1010 OF THE BRAINERD CITY CODE
RELATED TO FEES FOR CHICKEN LICENSES AND BEES**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Section 900.08 be amended by deleting the last sentence of Subd 3 in its entirety as follows:

900.08 Chickens

Subd. 3. Permit. No chicken coop and/or chicken run shall be maintained unless granted a permit by the City. The permit shall be subject to all terms and conditions of this Section and any additional conditions deemed necessary by the City to protect the public health, safety, and welfare. The necessary permit may be obtained from the City Administrator's office. Included with the information required prior to issuance of the permit must be a scaled diagram that indicates the location of any chicken coop and run, and the approximate size and distance from adjoining structures and property lines. The owner must also obtain written approval of the keeping of chickens from all abutting property owners. Written approval is not required if there is no abutting property. A permit for the keeping of chickens may be revoked or suspended by the Council for any violation of this Section following written notice and a public hearing. ~~An annual fee of \$30 will be charged for each permit which shall expire on December 31 of each year.~~

SECTION TWO: That Section 900 be amended by adding Section 900.06 as follows:

900.06 Bees. Subdivision 1. Definitions. The following words and terms shall have the meanings ascribed in this section unless the context of their usage indicates another usage:

- A) "Apiary" means the assembly of one or more colonies of bees at any one location.
- B) "Beekeeper" means a person who owns or has charge of one or more colonies of bees.
- C) "Beekeeping equipment" means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.
- D) "Colony" means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.
- E) "Hive" means the receptacle inhabited by a colony that is manufactured for that purpose.
- F) "Honey bee" means all life stages of the common domestic honey bee, *apis mellifera* (African subspecies and Africanized hybrids are not allowed).
- G) "Lot" means a contiguous parcel of land under common ownership.

Subd. 2. Purpose. The purpose of this section is to establish certain requirements for beekeeping within the city.

Subd. 3. Standards of Practice.

- A) Honey bee colonies shall be kept in hives with removable frames, which must be kept in sound and usable conditions.
- B) Beekeepers
 - 1) Must ensure that a convenient source of water is available within 10 feet of each colony at all times that the colonies remain active outside the hive.
 - 2) Must ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once

removed from the site shall be handled and stored in sealed containers, or placed within a building or other vermin-proof container.

- 3) Shall maintain beekeeping equipment in good condition, including keeping the hives painted if they have been painted but are peeling or flaking and securing unused equipment from weather, potential theft, vandalism, and occupancy by swarms.
- C) Bee colonies may be kept the following residential zoning districts:
- 1) R-R (Rural Residential) District
 - 2) R-E (Single Family Estate) Residential District
 - 3) R-1A (Single Family) Residential
 - 4) R-1 (Single Family) Residential
 - 5) R-2 (Medium Density) Residential

Honeybee colonies may be kept on a two-family property if it is zoned R-2 and a resident owner of the property is the beekeeper.

Subd. 4. Hives.

- A) Are not permitted in a front yard or in a street side yard.
- B) Shall be located at least 10 feet from all interior property lines and 10 feet from an alley right of way.
- C) Shall be at least 25 feet from a principal building on an abutting lot.
- D) In each instance where a colony is kept less than 25 feet from a property line of the lot upon which the apiary is located, the beekeeper shall establish and maintain a flyway barrier 6 feet in height as follows:
 - 1) The flyway barrier must extend 10 feet in either direction from the hive along the property line.
 - 2) Barriers may be made of a wall, fence, or dense vegetation. A combination of these things is permissible.
- E) A fence permit is required. Information on fencing permits can be obtained through the Planning Department.
- F) Sale of honey and hive products from the beekeeper's residence is permitted in accord with Zoning Ordinance Section 26 Home Businesses and the following:
 - 1) The beekeeper must live on the apiary lot.
 - 2) The honey and hive products are from hives owned by the property owner.
 - 3) In any instance in which a colony exhibits unusually aggressive behavior, it shall be the duty of the permit holder to promptly take appropriate action to address the behavior.

Subd. 5. Colony Density. The following numbers of colonies are permitted:

- A) Lots less than 21,780 sq. ft. (½ acre): two colonies
- B) Larger than ½ acre: four colonies

Subd. 6. Beekeeper Training. Prior to obtaining an initial permit a beekeeper must provide:

- A) A beekeeping course completion certificate or letter from an educational institution that offers a beekeeping course.
- B) Verification of equivalent experience for the honeybee keeping course.

Subd. 7. Permit Required. Beekeeping may occur on any property in the city upon issuance of an annual permit to the beekeeper on that specific property which shall expire on December 31 of each year.

- A) A beekeeping permit will be issued if:

- 1) The requirements of this section have been met.
- 2) Notices have been mailed to all property owners within 150 feet of the applicant's property lines.
- 3) If there are objections received within 10 days of mailing the notices, the City Council shall consider the application.
- B) If there are no objections received within 10 days of mailing the notices, then the permit application will be processed by city staff. It will not be referred to the City Council for consideration.
- C) Permits are non-transferable and do not run with the land.
- D) By signing the permit, the beekeeper acknowledges that he or she shall defend and indemnify the city against any and all claims arising out of keeping the bees on the premises.
- E) The City Council shall as establish the permit fee. For each subsequent permit, there shall be no fee for the permit, unless there are substantial changes to the apiary or there is a new beekeeper.
- F) If the standards of practice are not maintained subsequent to issuance of a beekeeping permit, the permit may be revoked by the city.
- G) Sales of honey or hive products from the home must be stated on the permit.

Subd. 8. Penalty for Violation of Section. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor.

SECTION THREE: That Section 1010.01 Subd 7 be amended by adding the following:

Subd. 7. Miscellaneous.

Chickens (annually)	900	\$ 40.00
Bees (annually)	900	\$ 40.00

SECTION FOUR: All other provisions of Section 900 and Section 1010 shall remain in full force and effect.

SECTION FIVE: This Ordinance shall take effect and be in force one week from and after its publication.

Adopted this 17th day of April, 2017

 DAVID J. PRITSCHET
 President of the Council

Approved this 18th day of April, 2017

 EDWIN L. MENK
 Mayor

ATTEST: _____
 JAMES M. THOREEN
 City Administrator

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