

Apiary Placement Regulation

The following are excerpts of the regulations related to the maintenance and placement of apiaries in Santa Barbara County. Refer to the actual regulations for more complete and up to date information. Compiled by the Mosquito and Vector Management District of Santa Barbara County (www.mvmdistrict.org/) (October 16, 2014)

[California Food and Agriculture Code](#)

Division 13. Bee Management and Honey Production

Chapter 1. Bees

Article 4 Registration and Identification of Apiaries

§ 29046. (a) No person shall maintain an apiary on premises other than that of his or her residence unless the apiary is identified as follows:

(1) By a sign that is prominently displayed on the entrance side of the apiary or stenciled on the hive, that states in dark letters not less than one inch in height on a background of contrasting color, the name of the owner or person responsible for the apiary, his or her address and telephone number, or if he or she has no telephone, a statement to that effect.

(2) If the governing body of the county or city in which the apiary is located has provided by ordinance for the identification of apiaries, in the manner which is prescribed in the ordinance.

(b) No person shall locate or maintain an apiary on private land not owned or leased by the person unless the person has approval from the owner of record, or an authorized agent thereof, and can establish approval upon demand of the director or commissioner. The approval shall include the name and phone number of the person granting approval.

(c) (1) No person shall locate or maintain an apiary on any public land without the expressed oral or written approval of the entity which owns, leases, controls, or occupies the land, and can establish this approval upon demand of the director or the commissioner. The approval shall include the name and telephone number of the person granting the approval. During the citrus bloom period, as established by the commissioner, including 72 hours prior to the declaration of the bloom period until 48 hours after the conclusion of the bloom period, the apiary operator shall obtain written permission to place bees on public land, and shall make it available to the director or the commissioner upon demand. Any apiary located or maintained on public land without lawful consent is a public nuisance and may be subject to seizure by the director or the commissioner.

County of Santa Barbara Ordinances

Article V. Beekeeping

Sec. 7-27. Generally, construction of provisions.

The unregulated and improper keeping of bees and apiaries in the county has become a nuisance and a hazard to the safety of landowners, road users and the public generally.

This article shall in all respects be construed to supplement and harmonize with the provisions of law of the state pertaining to bees and the beekeeping industry.

(Ord. No. 2580, § 6)

Sec. 7-28. Definitions.

Any word or phrase hereinafter used in this article and not herein defined shall be given the meaning established for such word or phrase by the California Agricultural Code as it now is or may hereafter be amended. Whenever in this article the term "commissioner" is used, it shall mean the county agricultural commissioner and regularly appointed employees of the county department of agriculture acting pursuant to his instructions.

Whenever in this article the term "fire chief" is used, it shall mean and include the county fire chief, the state forester, the district rangers and officers and foresters of the United States government or any of their deputies and employees, and the chief engineer or fire chief or chief executive officer of any fire district, or any of their deputies and employees.

(Ord. No. 2580, § 6)

Sec. 7-29. Identification of apiary.

Every person owning an apiary located on premises other than where he resides shall identify such apiary as is now provided or hereafter may be provided by the laws of the state.

(Ord. No. 2580, § 6)

Sec. 7-30. Right of commissioner and fire chief to enter premises; interference with commissioner or fire chief.

The commissioner and fire chief are hereby empowered to enter upon any premises where bees are kept, or upon which they have reason to believe that bees are kept, in order to carry into effect the provisions of this article, respectively enforceable by each.

It shall be unlawful for any person to interfere with the official actions of the commissioner or fire chief.

(Ord. No. 2580, § 6)

Sec. 7-31. Restrictions on location of apiary.

No person shall place or keep an apiary, or cause to allow an apiary to remain so close to a public or private road used by the public as to constitute a

nuisance or hazard to persons using such road. Except when pollinating crops, no apiary shall be located within three hundred feet of a property line.

No person shall place or keep an apiary, or cause or allow an apiary, to remain closer than six hundred feet to any building used as a dwelling other than buildings owned by such person, without the permission of the occupant of such building.

(Ord. No. 2580, § 6)

Sec. 7-32. Permission of landowner or tenant required for placement of apiary.

No person shall place or keep an apiary, or cause or allow an apiary to remain on land not owned or possessed by such person without first obtaining the written permission of the owner or person lawfully in possession of such land.

(Ord. No. 2580, § 6)

Sec. 7-33. Transportation of bees.

Except in case of an emergency, hives of bees being transported on public roads or highways at a time when the bees are flying shall have the bees substantially confined by screens or other means to the vehicle by which the bees are being transported.

(Ord. No. 2580, § 6)

Sec. 7-34. Apiary water supply.

Every apiary shall be provided with water by the apiary owner at the time that the set is made, and such water shall be maintained by the apiary owner so long as the apiary stays on such property, unless the landowner gives written permission for the apiary to use water situated on the land where the apiary is located.

(Ord. No. 2580, § 6)

Sec. 7-35. Fire prevention.

Any person owning, leasing, controlling, operating or maintaining any apiary in, upon or adjoining any hazardous fire area, and any person owning, leasing or controlling any land adjacent to such apiary shall at all times:

(a)

Maintain around and adjacent to such apiary an effective firebreak made by removing and clearing away, for a distance therefrom of not less than thirty feet on each side thereof, all flammable vegetation or other combustible growth. This article shall not apply to single specimens of trees, ornamental shrubbery or similar plants used as ground covers; provided, that they do not form a means of rapidly transmitting fire from the native growth to any structure.

(b)

Maintain around and adjacent to any such apiary additional fire protection or firebreak made by removing all brush, flammable vegetation, or combustible growth located from thirty feet to one hundred feet from such apiary as may be required by the fire chief

when he finds that because of extra hazardous conditions a firebreak of only thirty feet around such apiaries is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than thirty feet from such apiary and less than eighteen inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.

No person shall use any lighted or smoldering material in connection with smoking bees except by the authority of a written permit from the fire chief.

(Ord. No. 2580, § 6)

Sec. 7-36. Notice of violation of article.

Any person who violates any provisions of this article may be served with a written notice to cease or remedy such violation by the commissioner. Any person who violates the fire provisions of this article may be served with a written notice to cease or remedy such violation by the fire chief. Such notice shall require that such person cease or remedy the violation within forty-eight hours. Any person who fails to cease or remedy the violation within such forty-eight hour period is guilty of a misdemeanor. The notices required by this section shall be served personally on such person or, if he cannot be readily found, shall be served by mail, return receipt requested; or, if he cannot be served by mail, then service shall be accomplished by posting a notice in a conspicuous place on or near the apiary where the violation occurred. The forty-eight hour period for which such notices provide shall commence to run from the time on the day a notice is served pursuant to this section.

(Ord. No. 2580, § 6)

**Chapter 6.28
BEES**

Sections:

6.28.010 Beekeeping.

6.28.030 Number and Location of Hives.

6.28.020 Conditions for Beekeeping.

6.28.040 Compliance with State Law.

6.28.010 Beekeeping.

It shall be unlawful for any person to keep bees except in a manner in compliance with the provisions of this Chapter. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

6.28.020 Conditions for Beekeeping.

Each person, firm, company, corporation or other organization maintaining one (1) or more colonies of honey bees, *Apis mellifera*, shall comply with all of the following conditions:

- A. Each colony shall be maintained in movable-frame hives.
- B. Adequate space shall be maintained in the hive to prevent over-crowding and swarming or aggressive behavior.
- C. Each colony shall be registered with the County Agricultural Commissioner. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

6.28.030 Number and Location of Hives.

- A. No more than four (4) hives shall be maintained on lots having less than 10,000 square feet in area. On lots larger than 10,000 square feet, no more than one (1) hive shall be maintained for each 5,000 square feet of additional lot area.
- B. Hives shall not be placed within twenty (20) lineal feet of any public street, sidewalk, or other public thoroughfare. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

6.28.040 Compliance with State Law.

Each person, firm, company, corporation or other organization maintaining one (1) or more colonies of honey bees, *Apis mellifera*, shall comply with all State regulations governing bee management and honey production as provided in Division 13 of the Agricultural Code of the State of California. Those regulations are enforced by the County Agricultural Commissioner. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

[City of Lompoc Municipal Code](#)

Title 6. Animals

6.04.110 Keeping of Bees.

No person shall keep any hive of bees within 600 feet of any residence (not including the residence of the beekeeper), hospital, school, church, office building, store, hotel, apartment house, or any other place of habitation. This Section shall not apply to the keeping of bees within an educational institution for study or observation, or within a physician's office or laboratory for medical research, treatment, or other scientific purposes, provided they are not permitted to fly at large. (Prior code § 0610)

Section 5-3.700. Article 7. Beekeeping

Section 5-3.701. When permitted.

It is unlawful for any person to engage in commercial beekeeping; that is, the keeping of bees for commercial purposes within the City. It is unlawful for any person to keep bees for noncommercial purposes within the City, except in the manner prescribed in, and in compliance with the provisions of this section and following sections; provided, that nothing in this article shall be deemed or construed to prohibit the keeping of bees in a hive or box located and kept within a school building or similar educational or research institution for the purpose of study, observation or other scientific purpose. (Prior Code § 3-4)

Section 5-3.702. Maintenance and control.

Each person maintaining one (1) or more colonies of bees (which bees may only be of the variety or species known as honey bees, *Apis mellifera*) in the City shall comply with the following conditions:

- (a) Each colony shall be maintained in movable frame hives.
- (b) Adequate space shall be maintained in the hive to prevent overcrowding and swarming or aggressive behavior.
- (c) Colonies shall be re-queened following any swarming or aggressive behavior.
- (d) Each colony shall be registered with the County Agricultural Commissioner.
- (e) Each colony, and all bees therein, shall at all times be under the control of the owner or keeper thereof, and shall not be permitted upon the property of another in such a manner that it disturbs the peace and quiet enjoyment of other persons within the City. Upon complaint of any resident or owner of property within the City, and upon determination by the Director of Community Development of a violation of this subsection (e), the violator shall forthwith remove the colony, and all bees therein, to a location not less than three hundred (300) feet from the exterior boundaries of the complaining owner or resident's property. (Prior Code § 3-4.1)

Section 5-3.703. Number and location of hives.

All colonies shall be maintained and located in the following manner:

- (a) No more than four (4) hives shall be maintained on lots having less than ten thousand (10,000) square feet in area. On lots having more than ten thousand (10,000) square feet in area, no more than one (1) additional hive may be maintained for each five thousand (5,000) square feet of additional lot area.
- (b) No hives shall be located within ten (10) feet of any property line except when situated and maintained eight (8) feet or more above adjacent ground level. (Prior Code § 3-4.2)

Section 5-3.704. Compliance with State provisions.

- (a) Each person maintaining one (1) or more colonies of bees in the City shall comply with all State regulations governing bee management and honey production, as provided in Division 13 (Section 29001 and following) of the Agriculture Code of the State, and any and all regulations adopted pursuant thereto.

(b) Violations of the Agriculture Code, or regulations, shall be enforced by the County Agricultural Commission.

(c) Violations of this article not involving the Agriculture Code or regulations shall be enforced by the Director of Community Development. (Prior Code § 3-4.3)