

ORDINANCE NO: ~~XXXX~~1034 (2022/2023)

AN ORDINANCE AMENDING CHAPTER 55 OF THE CITY CODE OF ORDINANCES OF THE CITY OF NEVADA, IOWA, 2022, TO ALLOW THE KEEPING OF BEES IN THE CITY

WHEREAS, the City of Nevada, Iowa currently has an ordinance making it unlawful for any person to keep or maintain an apiary of honeybees within the City; and

WHEREAS, the City finds the responsible keeping of honeybees within the City are an essential asset to the community in their role as pollinators of produce, trees, and flowers, and by sustaining native birds through the process of facilitating the production of natural seeds; and

WHEREAS, the City of Nevada has a tradition of encouraging growth and progress through agriculture.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, IOWA:

Section 1. Amendment. Section 55.01(8) is amended to remove “bees” from the definition of “illegal animal” as follows:

“Illegal animal” means any animal that is not normally considered domesticated or tame. Illegal animals include, but are not limited to:

- A. Lions, tigers, jaguars, leopards, cougars, lynx, bobcats, or hybrids of these with domestic cats,
- B. Wolves, coyotes, foxes, or hybrids of these with domestic dogs,
- C. Badgers, wolverines, weasels, skunk and mink,
- D. Raccoons,
- E. Bears,
- F. Any non-human primates,
- G. Bats,
- H. Alligators and crocodiles,
- I. Scorpions,
- J. Any venomous or constrictor snake or reptile, and
- K. Gila monsters.
- ~~L. Bees~~
- ~~M L.~~ Livestock

Section 2. Addition of New Section 55.22, to be entitled “Apiaries (Beekeeping)”.

Apiaries (beekeeping) may be allowed in all residential and agricultural zoning districts, subject to the following performance standards:

1. Beekeeping shall be allowed only on property owned by the beekeeper.
2. Hives shall be located in the rear yard and a minimum of 10’ from property line.
3. Honeybee colonies shall be kept in hives with removable frames, with said hives kept in sound and usable condition.

4. A source of water shall be readily available to the bees at all times within the property that the beehives are located during the time of year in which the bees are active.
5. The beekeeper shall establish a flight path barrier consisting of a fence, structure or planting not less than 6' in height located in front of the hive. A building permit shall be obtained as needed for any such structure.
6. The beekeeper shall incorporate best management practices in the beekeeping operation at all times, including practicing proper management and manipulation of colonies to remedy swarming and/or aggressive colonies.

Section 3. Renumbering. Current Section 55.22 “Violations” shall be renumbered to Section 55.23.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. This ordinance shall be in full force and effect after passage, approval and publication as provided by law.

Passed and approved this 26th day of September, 2022.

Passed and approved this ___ day of September, 2022.

Passed and approved this ___ day of October, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

1st Reading – September 26, 2022

Motion by Council Member _____, seconded by Council Member _____, to adopt the first reading of Ordinance No. 1034.

AYES: _____

NAYS: _____

ABSENT: _____

2nd Reading – October 10, 2022

Motion by Council Member _____, seconded by Council Member _____, to approve the second reading of Ordinance No.

1034.

AYES: _____

NAYS: _____

ABSENT: _____

3rd Reading – October 24, 2022

Motion by Council Member _____ seconded by Council Member _____, to approve the third reading of Ordinance No. 1034.

AYES: _____

NAYS: _____

ABSENT: _____

The Mayor declared Ordinance No. 1034 (2022/2023) was passed on the _____ day of _____, 2022.

I certify that the foregoing was published as Ordinance No. 1034 (2022/2023) on the _____ day of _____
_____ 2022.

Kerin Wright, City Clerk

~~**PASSED AND ADOPTED**~~ at Nevada, Iowa, this ~~X~~ day of ~~XXX~~, 2022

~~**APPROVED**~~ this ~~X~~ day of ~~XXX~~, 2022

Brett Barker, Mayor

ATTEST:

~~Kerin Wright, City Clerk~~