

Sponsor: Scott Rakos
6th District Councilman
Sponsor: William Emerson
4th District Councilman

ORDINANCE NO. 9376

**AN ORDINANCE AMENDING ORDINANCE 7431 KNOWN AS SECTION 91.036 OF
THE HAMMOND MUNICIPAL CODE AS IT PERTAINS TO BEES**

(as amended)

WHEREAS, Section 91.036 of the Hammond Code of Ordinances regulates the keeping of bees in residentially zoned property in the City of Hammond; and

WHEREAS, Since that Ordinance passed in 1991, climate change, habitat loss, harmful varroa mites and increased use of pesticides has decimated the bee population which is responsible for and necessary for pollination; and

WHEREAS, many municipalities have attempted to balance and regulate residential agriculture with maintaining a balance environmental impact on the local ecosystem and economy; and

WHEREAS, domestic strains of honeybees have been selectively bred for desirable traits, including gentleness, honey production, tendency not to swarm and nonaggressive behavior; and

WHEREAS, the Common Council of the City of Hammond wishes to modify and revise the ordinance regarding the prohibition of bees to allow the cultivation of bees within certain restrictions for the health, safety and well-being of the residents of Hammond, Indiana.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HAMMOND, INDIANA THAT ORDINANCE 7431 BE AMENDED AND SECTION 91.036 BE NOW READ AS FOLLOWS:

Section 91.036 Bees :

The keeping of bees within the residential districts of the City of Hammond is declared to be a public nuisance unless:

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- 1) A person has not more than two (2) colonies of domestic honey bees (*Apis Mellifera*) with Queens purchased from licensed breeders/beekeepers, and an aggressive colony must be re-Queened immediately;
- 2) A person places said colonies in a stable, appropriate apiary, kept in sound and usable conditions, which included hive bodies, supers, frames, top and bottom boards and extractors;
- 3) A person encloses the property where the colonies live in a fence not less than four (4) feet high and the apiaries must be entirely within the property of the owner and not near an adjoining property line, with sufficient wind screening;
- 4) A person maintains the colony in such a manner so as to not cause any unhealthy conditions, interfere with normal use and enjoyment of public property or the property of others;
- 5) A sign must be posted on the property warning persons of the apiary's presence.
- 6) All colonies must be registered with the Indiana Department of Natural Resources Division of Entomology and Plant Pathology annually, and the beekeeper shall complete the Indiana State Beekeepers Association classes.
- 7) Nothing in this Ordinance shall prohibit members of the Beekeepers Association from entering the City to remove hives or swarms.

Penalty See Section 10.99

NOW BE IT FURTHER ORDAINED that herein ordinance shall have full force and effect from and after passage, approval by the Council, signing by the President thereof and approval and signing of the Mayor.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana, this 12th day of June, 2017.

Janet Venecz, President /s/
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk
City of Hammond, Indiana

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, Indiana, to the Mayor, for approval and signature, this 13th day of June, 2017.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana

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The foregoing Ordinance No. 9376 consisting of three (3) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana, this 14th day of June, 2017.

Thomas M. McDermott, Jr., Mayor /s/
City of Hammond, Indiana

PASSED by the Common Council on the 12th day of June, 2017, and approved by the Mayor on the 14th day of June, 2017.

Robert J. Golec, City Clerk /s/
City of Hammond, Indiana