

OFFERED BY COUNCILOR RUTHZEE LOUIJEUNE



CITY OF BOSTON IN CITY COUNCIL

AN ORDINANCE AND AMENDMENT TO THE BOSTON ZONING CODE WITH RESPECT TO HONEY BEES

WHEREAS, Honey bees play a critical role in our food system, as they provide the pollination for over 85 different crops and contribute to 35% of global food production. Accordingly, without honey bees the agricultural system would collapse; *and*

WHEREAS, Honey bees enable the production of a wide array of foods, helping to stabilize and diversify ecosystems and further provide support for human habitats and high quality nutrients. Honey bees also contribute to livestock production through the pollination of forage plants such as alfalfa and clover; *and*

WHEREAS, Honey bees contribute to the greater biodiversity within urban cities by supporting and strengthening plant and tree growth through pollination, and are also indicator species, where they provide critical information on the health and habitat of our environment; *and*

WHEREAS, Honey bee populations have been on a steady decline, whereby city environments can provide alternative spaces for honey bees to maintain healthy habitats as they have access to protected areas, providing themselves with security while also generating a consistent diet and stronger biodiversity for its surroundings; *and*

WHEREAS, There are collective and individual environmental and health benefits to urban beekeeping, whereby bee pollination results in a decrease in pollution as their pollination contributes to keepings waterways clean, preventing soil erosion, encouraging oxygen production, and absorbing CO₂; *and*

WHEREAS, Residents and businesses in Boston are already hosting bee hives on their rooftops and backyard as local interest in beekeeping has only increased during the pandemic; ***NOW, THEREFORE BE IT***

ORDERED: That the Boston City Council, by and through Councilor Ruthzee Louijeune, submits a petition to amend the text of the Boston Zoning Code.

Ordinance Regulating Honey Bees

Be it ordained by the City of Boston, as follows:

SECTION 1.

The City of Boston Code, Ordinances, Chapter 16, Section 1.27, shall be created as follows;

16-1.27 Honey bees

- a. Purpose
 - i. The purpose of this ordinance shall be for the regulation and enforcement of keeping honey bees.

- b. Definitions
 - i. Hive - a manufactured receptacle or container prepared for the use of Honey bees that includes movable frames, combs and substances deposited into the Hives by honey bees.
 - ii. Honey bee - a subset of bees in the genus *Apis*, primarily distinguished by the production and storage of honey and the construction of perennial, colonial nests out of wax.
 - iii. Colony - means a natural group of honey bees having a queen or queens.

- c. Regulations
 - i. Maximum number of Hives on any given lot or roof for personal consumption of honey bee products shall be three (3).
 - ii. No Hive shall exceed five feet in height and twenty cubic feet in size on any lot or roof.
 - iii. Where there is a wall, fence or similar barrier between the subject property and adjacent property, no setback from the property line is required. Where there is no wall, fence or similar barrier between subject property and adjacent property, Hives shall be set back five (5) feet from the property line.
 - iv. Hives shall not be located in the front yard or in a side yard that abuts a street in all residential and commercial zoning districts and subdistricts.
 - v. No Hive shall be located closer than ten (10) feet from a public sidewalk.
 - vi. For any ground level Hive that is within twenty (20) feet of the doors and/or windows of the principal building on an abutting Lot, either of the following conditions must exist:
 - 1. The Hive opening must face away from doors and/or windows; or
 - 2. A flyway of at least six (6) feet in height comprising of a lattice fence, dense hedge or similar barrier must be established in front of the opening of the Hive such that the honey bees fly upward and away from neighboring properties. The flyway shall be located within three (3) feet of the entrance to the Hive and shall

- extend at least two (2) feet in width on either side of the Hive opening.
- vii. Hives shall be set back six (6) feet from the edge of the roof.
 - viii. For any roof level Hive that is within twenty (20) feet of the doors and/or windows of the principal building on an abutting Lot, either of the following conditions must exist:
 - 1. The Hive opening must face away from doors and/or windows; or
 - 2. A flyway of at least six (6) feet in height comprising of a lattice fence, dense hedge or similar barrier must be established in front of the opening of the Hive such that the honey Bees fly upward and away from neighboring properties. The flyway shall be located within three (3) feet of the entrance to the Hive and shall extend at least two (2) feet in width on either side of the Hive opening.
 - ix. All beekeeping shall comply with applicable State and local laws and regulations.
- d. Exceptions
- i. Any exceptions to this section must be approved by petition to Animal Control or ISD.
- e. Enforcement
- i. Animal Control and ISD shall have the authority to enforce all violations of this section.
 - ii. Enforcement of this section may be by written warning and/or non-criminal disposition fines as provided by in MGL, Chapter 40, Section 21D, provided that this section shall not preclude the City of Boston from proceeding to restrain a violation by injunction.

SECTION 2.

This ordinance shall take effect 90 days after passage.

Filed In Council: **October 5, 2022**

Filed on: XXX,
Text Amendment Application No. _____
Boston City Council

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

Boston City Council through and by Boston City Councilor Ruthzee Louijeune petition to amend the text of the Boston Zoning Code as follows:

1. In [Article 2A](#), Section 2A-1. - Meaning of Certain Words and Phrases
 - a. Strike the existing definition of ‘Accessory Keeping of Animals’
“Subject to the provisions of Article 10, the keeping of horses, cows, goats, poultry, pigeons, rabbits, bees, or similar animals other than pigs.”
 - b. Replace with following definition of ‘Accessory Keeping of Animals’
“Subject to the provisions of Article 10, the keeping of horses, cows, goats, poultry, pigeons, rabbits, or similar animals other than pigs.”
2. In Article [89 Urban Agriculture](#)
 - a. Strike Section 89-10.1 - Accessory Keeping of Honey Bees.
3. In Article 8 - Table A Use No. 76.
 - a. Strike the word “bees” and “or more than three colonies of bees are kept on the lot at one time”

Petitioner: Boston City Council

By: Councilor Ruthzee louijeune

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Date: XXX