



# TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 www.jerome.az.gov

## ORDINANCE NO. 474

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING SECTIONS 201, 502, 503, 504 AND 505 OF THE JEROME ZONING ORDINANCE TO ESTABLISH BEEKEEPING AS A CONDITIONAL USE IN ALL ZONES, AND TO PROMULGATE REGULATIONS REGARDING SAME

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. Section 201, "General," of Article II, "Definitions," is hereby amended to insert, in alphabetical order, the following definitions:

**Apiary** – one or more hives or colonies of bees at one location.

**Beekeeper** – a person who owns and/or breeds bees, especially for their honey.

**Beekeeping (or apiculture)** – the maintenance of bee colonies, commonly in man-made hives by humans. May include the manufacture of honey, beeswax, and other byproducts of the beekeeping process.

**Colony** – the inhabitation of the hive, including the queen, drones, worker bees and brood.

**Flyway barrier** – a solid wall, fence, dense vegetation, or combination of these materials at least six (6) feet high that extends at least ten (10) feet beyond the hives on each end of a bee colony.

**Hives** – the domicile of bees, including any receptacles or containers inhabited by bees.

**Swarming** – Swarming is a natural process in the life of a honey bee colony. Swarming occurs when a large group of honeybees leaves an established colony and flies off to establish a new colony. Swarming is a natural method of propagation that occurs in response to crowding within the colony.

SECTION 2. Section 502, "General Provisions," is hereby amended to add NEW paragraph O., "Beekeeping," as follows:

#### O. BEEKEEPING

The following standards and requirements apply to the keeping of any hive, colony, or apiary bees within the town limits:

Date of first reading: 7/13/21

Dates of publication: 8/15/21, 8/22/21

Date of adoption: 8/10/21

Date of posting: 8/16/21

Voting record at adoption:

	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BARBER			X			
DILLENBERG			X			
HARVEY	X		X			
MOORE			X			
WORTH		X	X			

1. All persons shall be required to obtain a conditional use permit prior to the keeping of bees. The application form shall include the name, address and telephone number of the person seeking the permit as well as the name, address, and telephone number of the property owner. If the applicant is other than the property owner, then the application shall also include written permission of the owner for the use of the property for keeping a hive, colony, or apiary. The form shall also include a drawing of the property indicating the location for the keeping of the hive, colony or apiary and an acknowledgement that, prior to the placing of the hive, colony or apiary upon the property, an adequate supply of water and other nutrients are available on the property near the hive, colony or apiary.
2. Upon receipt of a beekeeping application, and at least 15 days prior to review by the Planning and Zoning Commission, public notification shall be mailed by the Town to properties within 100 feet of the subject property.
3. No more than two hives shall be allowed on a parcel.
4. Hives shall be located in the area behind the primary structure and in front of the rear lot line and set back from the side and rear property lines a minimum of five (5) feet.
5. A flyway barrier consisting of a solid wall, fence, dense vegetation, or combination of these materials at least six (6) feet high shall be provided and extend at least ten (10) feet beyond the hives on each end of an apiary.
6. Each beekeeper shall ensure that a constant and easily accessible supply of fresh water and other nutrients of sufficient quantity to meet the needs of all bees being maintained or kept is always available to the bees so that they are discouraged from congregating at pet water bowls, birdbaths, pools, spas or other water sources where they may cause human or domestic pet contact.
7. Initial hives shall contain a queen selected from stock bred for gentleness, and bees who are relatively gentle and non-defensive. If a colony becomes too defensive, then the beekeeper shall be obligated to move that colony to a different location or to replace the queen with a gentler queen.
8. The first violation of this Section shall be treated as a petty offense. All subsequent violations within a succeeding two-year period shall be treated as Class I misdemeanors, subject to penalties as set forth in Article 1-8 of the Jerome Town Code.
9. The provisions of this Section shall not apply to any property owner upon whose property a swarm of transient bees is attempting to or has established a domicile.
10. Any honeybee colony not residing in a structure intended for beekeeping, or any colony residing in a standard or homemade hive that, by virtue of its condition, has obviously been abandoned by the beekeeper, or any hive, colony or apiary which does not contain the water and nutrient requirements of Section 502.O.6 or any hive, colony or apiary for which no permit has been issued, is unlawful and shall be deemed a public nuisance.
11. The Town, upon a complaint, may take any actions necessary to remove the abandoned hive, colony, or apiary from the property.

SECTION 3. Section 503, "AR" Zone, Agricultural Residential," is hereby amended to add "Beekeeping" as a Conditional Use.

SECTION 4. Section 504, "R1-10 Zone, Single Family Residential," is hereby amended to add "Beekeeping" as a Conditional Use.

SECTION 5. Section 505, "R1-5 Zone, Single Family Residential," is hereby amended to add "Beekeeping" as a Conditional Use.


SECTION 6. It is hereby acknowledged that by the inclusion of Beekeeping as a Conditional Use in the R1-10 and R1-5 zones, it will then be a Conditional Use also in the R-2, C-1 and I-1 zones.

SECTION 7. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. § 39-203 et seq.

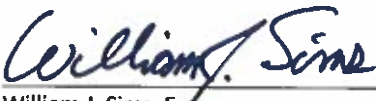
SECTION 8. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

Section 9. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

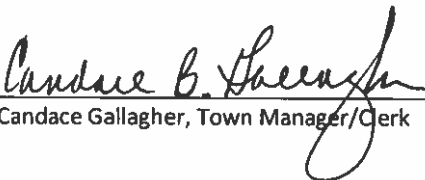
PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, THIS 10<sup>th</sup> DAY OF AUGUST, 2021.

  
\_\_\_\_\_  
Dr. Jack Dillenberg, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
William J. Sims, Esq.  
Town Attorney

ATTEST:

  
\_\_\_\_\_  
Candace Gallagher, Town Manager/Clerk