

1st RA 6-18-12
2nd RA 7-2-12
Adoption 7-2-12
Effective
7-22-12

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2012-11 (A)

AN ORDINANCE AMENDING CHAPTER 400 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER 2012

(ESTABLISHING GUIDELINES FOR BEEKEEPING IN THE TOWNSHIP OF LOWER)

Section 1. Section 400 of the Revised General Ordinances of the Township of Lower is hereby amended as follows:

[New Section]

§ 400-57(H) Allow beekeeping on small lots as a Permitted Use in Township of Lower.

§400-57(H)(1) **Authority; enforcement.**

1. This article is adopted pursuant to the authority of the Mayor and Council of the Township of Lower.
2. The Township of Lower Code Enforcement Officer, or any other person who may hereafter by designated by resolution is hereby authorized in the name and on behalf of the Township of Lower to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this article.

§ 400-57(H)(2) **Purpose.**

To allow the keeping of bees in Lower Township on small lots in populated areas according to local best management practices which are established hereunder and may be supplemented from time-to-time Rules and Regulations for Beekeeping to be established by Resolution of the Township Council upon recommendation of the Zoning Officer.

§ 400-57(H)(3) **Guidelines for keeping honey bees**

The following minimum local best management practices shall be followed by all bee keepers in order to avoid conflict with other neighborhood property owners:

1. The number of hives of honey bees according to lot size shall be governed by the table below:
 - a. Lot size of ½ acre or less; two (2) hives.
 - b. Lot size of ½ acre to one (1) acre; three (3) hives
 - c. Lot size of one (1) acre to two (2) acres; four (4) hives.
 - d. Lot sizes over two (2) acres; no restriction.
2. No hive of honey bees will be maintained within 15 feet of a boundary line of the property on which the hive is located.
3. All colonies must be located at least 25 feet from a public sidewalk, alley, street or roads.
4. All apiaries must have on site an adequate source of water within 25 feet of the hive(s) at all times (especially between March 1st and October 31st).
5. A six (6) feet high solid fence or hedge must be erected, along the property line, in the rear yard, if the colonies are within fifteen (15) feet of a neighbor's property.
6. All bee equipment and hives must be maintained in good condition.
7. All colonies must be kept in moveable frame hives in accordance with N.J.S.A. 4:6-10.
8. All colonies must be inspected by a qualified beekeeper or his delegate no less than three times between March 1 and October 1 of each year.
9. A substantial fence must be erected at least four (4) feet in height to prevent animals and children from coming into close contact with the hives.

10. Bee hives shall be located in the rear yard only.
11. Conspicuous signage shall be placed around the hive area(s), visible and readable from twenty five (25) feet, reading: Caution – Bee Hives.
12. ENHANCED SET BACK REQUIREMENT: For any bee hive to be placed in an area contiguous to any public park, school or recreation area or any place of public accommodation where groups of people would typically gather outdoors, a set back of at least fifty (50) feet shall be maintained from such contiguous property.

§ 400-57(H)(4) **Registration**

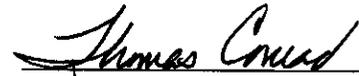
All bee yard locations shall be registered as Beekeepers with the New Jersey Department of Agriculture.

Section 2. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such inconsistency.

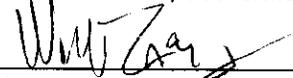
Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

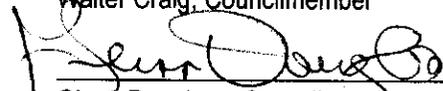
Section 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.



Thomas Conrad, Councilmember



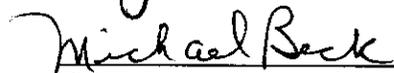
Walter Craig, Councilmember



Glenn Douglass, Councilmember



Kevin Lare, Councilmember



Michael Beck, Mayor

Attest: 

Claudia R. Kammer, Township Clerk

Adopted: July 2, 2012