

Chapter 6.16

APIARIES

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6.16.010 **Location of Hives.**

No person shall establish or maintain any hive or box where bees are kept, or keep any bees on the premises within fifty feet of any dwelling (except the dwelling of the owner of such bees), or within fifteen feet of any lot line, sidewalk, alley, or other public way. Notwithstanding, bees may be kept within fifteen feet of a lot line, sidewalk, alley, or other public way when a barrier at least six feet high is placed between the bee hives or boxes and the lot line, alley, or public way which adequately impairs bee flight. (Ord. 15518 §1; April 9, 1990 P.C. §8.70.010; Ord. 13413 §1; June 14, 1982).

6.16.020 **Minimum Area Required.**

No person shall establish or maintain any hive or box where bees are kept on any lot in excess of one hive or box per 1,500 square feet. (Ord. 15518 §2; April 9, 1990 P.C. §8.70.020; Ord. 13413 §2; June 14, 1982).

6.16.030 **Standards for Management.** Any person keeping bees shall:

- (a) Minimize swarming of bees;
- (b) Provide an adequate source of water located on the premises;
- (c) Provide an adequate number of hives or boxes;
- (d) Maintain and manage such boxes or hives so as not to create a nuisance. (Ord. 15518 §3; April 9, 1990 P.C. §8.70.030; Ord. 13413 §3; June 14, 1982).

6.16.040 **Animal Control Violation; Citation.**

Whenever a police officer or animal control officer of the City of Lincoln shall observe any violation of this chapter or has probable cause to believe that a violation of this chapter has occurred, it shall be the officer's duty to issue an animal control citation to the appropriate person.

At the time of the commission of the alleged violation, the accused may be served with a printed notice requiring the accused to make such appearance on or before the date specified thereon and advising whether execution of waiver of appearance and plea of guilty has been made available by the court for such violation. Said notice shall further apprise the accused that upon direct refusal or failure to so appear, a warrant shall be issued for the accused's arrest, that the accused shall appear at said court during the hours fixed by the judges of the county court as shown on said notice. (Ord. 15518 §4; April 9, 1990).

6.16.050 Penalty for Violations.

Any person upon whom a duty is placed by the provisions of this chapter who shall fail, neglect, or refuse to perform such duty, or who shall violate any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed \$500.00 and not less than \$25.00 for the first offense, and not less than \$50.00 for a second offense, and not less than \$100.00 for the third offense and each offense thereafter.

Each day that a violation of any section in this chapter continues shall constitute a separate and distinct offense and shall be punishable as such. The penalties herein provided shall be cumulative with and in addition to any penalty or forfeiture elsewhere in this chapter provided. (Ord. 15518 §5; April 9, 1990).