

CITY OF CONCORD

NEW HAMPSHIRE

Community Development Department

Code Administration Division

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Keeping of Bees Article 28-5-44

The keeping of bees and the maintenance of apiaries shall be in accordance with all current New Hampshire Department of Agriculture regulations and the following provisions:

- (a) Notwithstanding compliance with the various requirements of this section of the Zoning Ordinance, a beekeeper shall be prohibited from keeping any colony or colonies of bees in such a manner or of such disposition as to create a nuisance or menace to the public health and safety or to interfere with the normal use and enjoyment by persons and animals of any public or private property.
- (b) The Raising or Keeping of Bees is allowed in the following Districts:

As a Principal Use (M-11):

Residential Open Space (RO) Permitted by Right

Residential Medium Density (RM) Requires Special Exception

As Accessory to a Principal Residential Use (Use A-12)

Residential Open Space (RO)
Residential Medium Density (RM)
Residential Single-family (RS)
Residential Neighborhood (RN)
Institutional (IS)
Permitted by Right
Permitted by Right
Permitted by Right
Permitted by Right

Residential D Requires Special Exception

- (c) <u>Development Standards</u>.
 - 1) <u>Allowed Densities</u>. It shall be unlawful to keep more than the following number of colonies on any tract of land:

less than 1/4 acre beekeeping is not permitted

1/4 acre to 1/2 acre up to 2 hives
More than 1/2 acre to 1 acre up to 4 hives
More than 1 acre to 2 acres up to 6 hives
More than 2 acres to 5 acres up to 8 hives

More than 5 acres up to 2 hives per acre

- 2) <u>Location of Hives on a Lot</u>. Any structure used for apiculture shall comply with the following yard and setback requirements:
 - a. Hives shall be located in the side or rear yard and shall not be located in the front yard.
 - b. In the absence of a principal structure, hives shall be located behind the front setback line as defined for each Zoning District in the Zoning Ordinance.
 - c. Hives shall be located at least 15 feet from any property line, subject to the requirements of sub-section (3) below.
- 3) <u>Flyway Barriers</u>. In each instance in which a hive is situated within 30 feet of a property line, as measured from the nearest point of a hive to the property line, the beekeeper shall establish and maintain a flyway barrier in the following manner so that all bees are forced to fly at an elevation of at least 6 feet above ground level over the property lines in the vicinity of the apiary:
 - a. Height: shall be no less than six feet in height
 - b. Material: shall consist of a solid wall, fence, dense vegetation or combination thereof.
 - c. Location: shall be parallel to the property line, within 15 feet of the colony and extending at least 10 feet beyond the colony in each direction.
- 4) <u>Screening</u>. Hives shall be visually screened from roads, private ways, sidewalks, paths and other areas where people normally pass or congregate.
- 5) <u>Hive Type</u>. All hives shall be of the movable frame type, as accepted by the State of New Hampshire Department of Agriculture, Markets and Food, Division of Plant Industry.
- 6) <u>Identification</u>. If a hive belongs to a beekeeper that is not the owner of the property on which it is located, the name, mailing address and phone number of the beekeeper maintaining the hive shall be clearly displayed on each hive using letters not less than one (1) inch in height.
- Mater. Each beekeeper shall ensure that a convenient and consistent source of fresh water is available to the bees at all times during the year. Water shall be located within twenty (20) feet of all hives or no more than one-half (1/2) the distance to the nearest property line, whichever distance is less.

Adopted by Council August 2012, Ord. 2890.