

4 CITY OF CUYAHOGA FALLS, OHIO

6 ORDINANCE NO. 55 - 2016

8 AN ORDINANCE APPROVING REGULATORY TEXT AMENDMENTS
9 FOR SECTION 1133.04(A)(9) BEEKEEPING AND SECTION
10 1114.03(I)(3)(c) BEEKEEPING IN THE CUYAHOGA FALLS GENERAL
11 DEVELOPMENT CODE, AND DECLARING AN EMERGENCY.

14 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the
15 Planning Commission be submitted to Council, and

17 WHEREAS, on July 6, 2016 the Planning Commission recommended approval of regulatory text
18 amendments to the Cuyahoga Falls General Development Code as outlined in this legislation and
19 in File TXT-16-00023, and

21 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of
22 Summit, and State of Ohio, that:

24 Section 1. The City Council approves the following Cuyahoga Falls General Development
25 Code Regulatory Text Amendments:

27 1133.04 A 9 Beekeeping

- 28 1. Beekeeping (owning and breeding bees for their honey).
 - 29 a. All bee hives (colonies) must be kept with movable combs in good condition.
 - 30 b. Allowed bee hives
 - 31 (1) Small, Attached Single-Family and Multi-Family Lots -- not allowed
 - 32 (2) Standard Lot to Suburban Lot -- up to 2 established hives
 - 33 (3) Low Density Lot -- up to 4 established hives
 - 34 (4) Large Lot -- up to 6 established hives
 - 35 (5) Rural Lot -- up to 8 established hives
 - 36 (6) Agro Businesses, Farming Operations or Employment Zone (E-1) Businesses -- beehive
37 quantities are subject to Major Site Plan application procedures.
 - 38 c. Nucleus colonies or summer splits may be allowed on a temporary basis.
 - 39 d. No hive shall be kept closer than fifteen (15) feet to any lot line. Bees shall only be kept in the
40 rear yard, except in Rural Lots where bees must be kept behind the front and side setback
41 lines. ~~For corner lots, hives must be kept behind the Principal Building Setback Standard as~~
42 ~~stipulated in Table 1132-2, Residential Lot and Design Standards for distance to public right of~~
43 ~~way.~~
 - 44 e. A solid fence or dense hedge, known as a "flyway barrier," at least six (6) feet in height shall
45 be placed along the side of the bee hive that contains the entrance to the colony and shall
46 extend at least two (2) feet on either side of the hive. No such flyway barrier shall be
47 required if all beehives are located at least thirty (30) feet from all property lines, for
48 beehives that are located at least ten (10) feet above grade or for beehives with the sole
49 opening pointed towards the residence of beekeeper.
 - 50 f. A supply of fresh water shall be maintained in a location readily accessible to all bee
51 colonies on the site throughout the day. This water source must be closer than any other
52 water source not owned by the property owner.
 - 53 g. No Africanized bees may be kept.
 - 54 h. Must be in compliance with all State of Ohio and Ohio Department of Agriculture rules and
55 regulations for the keeping of bees. Property owners keeping bees must post a copy their
56 certificate of registration from the Ohio Department of Agriculture on or near the hives.



Handwritten initials "vms" and "MP" on the right side of the text, near line 40.

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1114.03(I)(3)(c) Beekeeping

Beekeeping. A Nonconformity with the requirements in 1133.04A 9 b for the allowed number of bee hives per Lot Type shall be amortized over 36 months from September 1, 2016.

Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including, to the extent applicable, Chapter 107 of the Codified Ordinances.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 9-12-16

Mary Ellen Pyke
President of Council

Jane M. Conrad
Clerk of Council

Approved: 9-14-2016

[Signature]
Mayor

7/11/16