

ORDINANCE NO. 440

**AN ORDINANCE TO AMEND ORDINANCE NO. 270 COMMONLY KNOWN AS AN
ORDINANCE TO REGULATE AND CONTROL ANIMALS IN THE CITY OF
LUCEDALE**

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY
OF LUCEDALE, MISSISSIPPI:**

SECTION 6-A OF ORDINANCE NO. 270

This Section of Ordinance No. 270 is hereby amended as follows:

Keeping of Bees

- (a) It shall be unlawful for any person to establish or maintain any hive, stand or box where bees are kept, or keep any bees in or upon any premises within the corporate limits of the City of Lucedale unless the bees are kept in accordance with the following provisions:
- (1) Definitions.
 - a. "Apiary" means assembly of one or more colonies of bees at a certain location.
 - b. "Beekeeper" means a person who owns or has charge of one or more colonies of bees.
 - c. "Colony" or "hive" means an aggregate of bees consisting of worker bees, a queen bee, drones, combs, honey and the receptacle inhabited by the bees.
 - d. "Tract" means a contiguous parcel of real property under common ownership.
 - (2) Density. It shall be unlawful to keep more than the following number of colonies on any tract within the city, based upon the size or configuration of the tract on which the apiary is situated:
 - (a) Less than five acres: No colonies.
 - (b) More than five acres and zoned as (A)-Agriculture: Number of colonies to be determined by board upon application and hearing.
 - (3) All honey bee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.
 - (4) If bee colonies are kept within fifty (50) feet of any exterior boundary of the property on which the hive, stand, or box is located, the beekeeper shall install and maintain a barrier that will prevent bees from flying through it, no less than five (5) feet high, along the exterior boundary of the tract. The barrier must extend 10 feet beyond the colony in each direction.
 - (5) Each beekeeper shall ensure that a convenient source of water is available to the bees at all times during the year so that the bees will not congregate at swimming pools, pet watering bowls, bird baths or other water sources where they may cause human, bird, or domestic pet contact.
 - (6) The bees and equipment shall be kept in accordance with the provisions of the laws of the State of Mississippi.
- (b) Permits for keeping bees shall be obtained by application to the City of Lucedale and consideration during public meeting. Applications may be obtained upon request at City Hall. Notice of the application will be mailed to all residents owning parcels within 250 linear feet of the subject property no later than 15 days prior to the hearing. In considering the application, the city board may consider any relevant item, including but not limited to, objections by adjoining landowners and impact of the colonies on the surrounding areas.

Effective Date

That this Ordinance shall become effective immediately upon passage due to the fact that beekeeping activities currently taking place within the city limits without regulation has become an immediate danger to the public health and safety and regulation of same is necessary for the public health and safety of the citizens of the City of Lucedale, Mississippi.

This Ordinance shall be published in a newspaper of general circulation in the City of Lucedale but shall become effective immediately as set out above.

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On May 3, 2017, the foregoing ordinance was read, discussed, and considered section by section and as a whole; voted on section by section and as a whole; and passed section by section and as a whole; the vote in every instance being as follows:

ALDERMAN LOUIS VALENTINE Voted Yea
Alderman At-Large

ALDERMAN CARRIE MOULDS Voted Yea
Alderman Ward One

ALDERMAN LLOYD WELFORD Voted Yea
Alderman Ward Two

ALDERMAN JASON MARTIN Voted Yea
Alderman Ward Three

ALDERMAN PAYTON DUDLEY Voted Yea
Alderman Ward Four

The motion having received a unanimous affirmative vote of the members of the Governing body present, the Mayor declared the motion carried and the Ordinance adopted on this the 3rd of May, 2017.



DOUG LEE
MAYOR

KATHY JOHNSON ANDERSON, MMC
CITY CLERK