

HOBBY BEEKEEPING LICENSE PROVISIONS - DRAFT

6.20.XXX Hobby beekeeper license.

A. License required. It shall be unlawful for any person to engage in hobby beekeeping within the corporate limits of Rapid City without first obtaining a hobby beekeeper license.

B. Application. The application shall be signed by the applicant and filed with the Animal Control Officer. Such application shall be accompanied by an application fee set by resolution of the Common Council. The license application shall contain all pertinent information required by the City, including the following:

1. All street address(es) at which the hobby beekeeper maintains an apiary and the number of hives at each address;
2. A site plan for each property that describes the apiary location, structures, and other pertinent information and identifies the distance between the apiaries, structures, and property boundaries;
3. Proof of registration of each apiary with the South Dakota Department of Agriculture; and
4. If the apiary is located on property owned by someone other than the hobby beekeeper, documentation of the owner's written consent for hobby beekeeper to locate an apiary on the owner's property.

C. Issuance of license. The license required by this chapter shall be issued by the City's Designated Animal Control Authority only after the applicant has paid the prescribed fee and complied with this Chapter and other applicable provisions of this Code, including applicable zoning provisions. The license may be canceled or revoked as provided in RCMC 6.20.XXX.

D. Term of License. A license issued under this chapter shall be valid for two years from the date it is issued.

E. Preexisting Apiaries. For apiaries existing within the City prior to the effective date of this Chapter, beekeepers shall have four weeks from the date this Section is effective to apply for a license under this Section.

F. Compliance with All Applicable Laws. Beekeepers shall comply with all applicable federal and state laws, including but not limited those provisions found within SDCL Chapter 38-18, and all other relevant City ordinances, including zoning regulations.

G. Amending license to add apiary locations. If during the term of his/her license, a licensed hobby beekeeper desires to place or relocate an apiary onto a location not included within his/her hobby beekeeping license application, the licensee shall submit an amendment to his/her application to the Animal Control Officer. The hobby beekeeper shall provide the address of the

new apiary location(s), the number of hives at the address, an accurate site plan, written consent of the property owner's permission to locate the apiary on the property (if property is not owned by beekeeper), proof of registration of each apiary with the South Dakota Department of Agriculture, and any other pertinent information requested by the Animal Control Officer. The Animal Control Officer may grant or deny the amendment to the hobby beekeeper license. The term of the hobby beekeeping license as discussed in Section D is not affected or extended by any amendment under this Section.

H. Inspection. By completing an application for a hobby beekeeping license, licensees consent to the Animal Control Officer entering the property on which the apiary is located to inspect the apiary during the license term.

6.20.XXX Suspension or revocation of license.

A. Reasons for suspension or revocation. Any license issued pursuant to this Chapter may be suspended or revoked by the Animal Control Officer if any City department or agency is notified or comes to have knowledge of any of the following:

1. The licensee has failed to comply with any applicable provision, standard or requirement of this Code or any other applicable laws or regulations, including applicable zoning regulations;
2. A court of competent jurisdiction has determined that the licensed hobby beekeeping operation has become a public or private nuisance;
3. The licensee has failed to register his or her apiary with the State as required by SDCL Chapter 38-18; or
4. Citizen complaints about the licensee's hobby beekeeping operation demonstrate that the public's health, safety and welfare will be served by suspension or revocation of the license.

B. Suspension. If the Animal Control Officer suspends a hobby beekeeping license, a notice of suspension shall be timely served upon the licensee as follows:

1. The notice of suspension shall include the reason for the suspension and shall provide the licensee with the process for appeal and the corrective action required to reinstate the license.
2. The suspension notice shall provide the licensee an opportunity to cure, within a time period to be determined by the Animal Control Officer, but in any event not to exceed 30 days.

C. Revocation. A notice of revocation of a hobby beekeeping license shall be timely served upon the licensee, shall include the reason for the revocation, and shall provide the licensee with the process for appeal.

D. Appeal. A licensee may appeal the suspension or revocation of the hobby beekeeping license to the Common Council by filing a written notice of appeal with the Animal Control Officer within ten business days of receipt of the notice of suspension or revocation.

E. Treatment of hives upon revocation or suspension of license. Upon revocation, the licensee must relocate or destroy all hives within 30 days of the notice of revocation or no later than ten days after the licensee's unsuccessful appeal of the suspension to Council, whichever is later. If the license is suspended by the Animal Control Officer and is not reinstated by the Common Council, the licensee must relocate or destroy all hives no later than 30 days after the time to cure as provided in the suspension notice has expired.

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