

**AN ORDINANCE TO REQUIRE FENCING OF FLYWAYS  
WITHIN HOBBY BEEKEEPING REGULATIONS BY AMENDING  
SECTION 6.20.020 OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, on May 4, 2015, the Common Council adopted Ordinance 6013 permitting hobby beekeeping within residential areas on lots with single-family dwellings; and

WHEREAS, at the same time, the Common Council adopted Ordinance 6010 establishing regulations governing the practice of hobby beekeeping within the City's limits; and

WHEREAS, during first reading of Ordinance 6010, the Council asked staff to prepare an amendment to the proposed ordinance requiring fencing between the beehives and the adjacent properties and to bring that amendment forward upon second reading; and

WHEREAS, that proposed amendment requiring fencing was not brought forward or considered as part of the second reading of Ordinance 6010; and

WHEREAS, pursuant to Council's request, staff are now bringing forward the proposed amendment for Council's review and approval; and

WHEREAS, Ordinance 6010 erroneously provided that the back of the hive should face away from, instead of toward, the nearest lot line;

WHEREAS, the Common Council believes it to be in the best interests of its citizens' health, welfare and safety to require fencing around hobby beekeeping operations in certain circumstances and to update the provision about facing the back of the hives toward the nearest lot line.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 6.20.20 of the Rapid City Municipal Code is hereby amended to read in its entirety as follows:

**6.20.020 Location of hives.**

A. Proximity to Residences. No person shall establish or maintain any hive or keep any bees on the premises within fifteen feet of any dwelling. This restriction does not apply to residences located on the same lot as the hive.

B. Hive placement. All hives shall be placed appropriately on the lot so as to inhibit access to the hive from adjacent properties and to prevent interference with the movements of persons on adjacent properties or in the public right-of-way. Hives shall not be placed within any setback applicable to the zoning district as found in Title 17. Hives shall not be placed within any drainage easement on the property. The back of the hive shall face ~~away from~~toward the closest property line, sidewalk, and/or right of way, whichever is closest, except that this requirement does not apply if sufficient screening exists, as discussed in Sections C and D, between the hive and the adjacent property line, sidewalk, or right-of-way.

C. Screening. Hobby beekeepers are encouraged to use screening between the hive and neighboring lots, sidewalks, and/or rights-of-way, such as fences, hedges, walls, or other obstructions to inhibit interference between bees and persons on adjacent sidewalks, rights of way, and property.

D. Fencing of Flyways. In each instance in which any hive is situated within 25 feet of the property line, the hobby beekeepers shall establish and maintain a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation, or combination thereof that is parallel to the property line and extends 10 feet beyond the hive in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over the property line.

CITY OF RAPID CITY

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Mayor

ATTEST

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Finance Officer

(seal)

First Reading:  
Second Reading:  
Published:  
Effective: