



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES
REGULAR MEETING AGENDA

MEETING DATE: March 28, 2023

AGENDA ITEM SECTION: Public Hearings

AGENDA ITEM NO. : 2

AGENDA ITEM:

Proposed local law to amend Chapter 153 to encourage and facilitate managed honey bee colonies in the Village; and consider a resolution to adopt the proposed local law

ITEM BACKUP DOCUMENTATION:

1. Draft resolution adopting local law to amend the Dobbs Ferry Code Chapter by revising Chapter 153 adding provisions related to beekeeping
2. Introductory local law: Revision to Chapter 153 of the Dobbs Ferry Code related to beekeeping
3. Public hearing legal notice

**RESOLUTION ADOPTING LOCAL LAW XX-2023 TO AMEND THE DOBBS FERRY
CODE BY REVISING CHAPTER 153 ADDING PROVISIONS RELATED TO
BEEKEEPING**

WHEREAS, the Board of Trustees of the Village of Dobbs Ferry has been considering adoption of an Introductory Local Law which proposes amendments to the Dobbs Ferry Code Chapter 153 to encourage and facilitate the keeping of managed bee colonies in the Village as one method to promote the successful pollination of plants, a large number of which are essential for the production of food and other essential goods; and

WHEREAS, for the purpose of receiving comment on the proposed local law, the Board of Trustees conducted a duly noticed public hearing on March 28, 2023 meeting all requirements of Open Meetings Law during which the public had the opportunity to be heard; and

WHEREAS, the matter was the topic of further discussion and deliberation by the Board at the public meeting on the same evening after the close of the hearing, following which the Board determined there were no impediments to proceeding with adoption of the local law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Dobbs Ferry hereby adopts Local Law ____-2023 revising Dobbs Ferry Village Code Chapter 153 with the addition of Article III related to the facilitation of managed bee colonies in the Village; and

BE IT FURTHER RESOLVED, that the Village Board directs the Village Clerk to file and distribute said Local Law in accordance with applicable law.

INTRODUCTORY LOCAL LAW

REVISION TO CHAPTER 153 OF THE DOBBS FERRY CODE RELATED TO BEEKEEPING

A LOCAL LAW to amend Dobbs Ferry Code Chapter 153 “Dogs and Other Animals” to include the parameters for beekeeping in the Village.

BE IT ENACTED by the Board of Trustees of the Village of Dobbs Ferry, as follows:

Section 1. Legislative Intent. To establish parameters for the keeping of bees in managed bee colonies within the Village of Dobbs Ferry Village.

Section 2. Chapter 153 “Dogs and Other Animals” of the Code of Dobbs Ferry is hereby revised with the addition of a new Article III as follows (all new matter underlined):

Article III

§ 153-7

In order to produce the goods on which the Earth’s population depends, a large number of plants grown for food, beverages, fibers, spices, and medicines need to be pollinated by animals, including birds, bats, butterflies, moths, beetles and bees (both native and from managed honeybee colonies). As one means to promote successful pollination of plants, it is hereby established the right for the keeping of honeybees in managed bee colonies in the Village of Dobbs Ferry subject to the provisions set forth herein. All existing and new apiaries and bee colonies shall be managed to meet the spirit and intent of these provisions.

A. Definitions. As used in this article, the following terms shall have the meanings indicated:

APIARY

A hive or hive-like structure having removable frames specifically designed, constructed and maintained for purposes of housing a bee colony.

BEE

Any life stage of the common, domestic, generally nonaggressive honey bee, *Apis mellifera* species.

BEE COLONY

An aggregate of bees consisting principally of workers, but having, when perfect, one queen and at time many drones, including brood, combs, honey, and the receptacle inhabited by the bees within an apiary.

BEEKEEPER

A hobbyist who is an owner of and responsible for managing one or more bee colonies in an apiary or multiple apiaries.

BEEKEEPING

Practices associated with the keeping, operation, harboring and/or maintenance of a bee colony or colonies by a beekeeper.

B. Requirements for Beekeeping.

- (1) It shall be the duty of every beekeeper:
 - a. To register all apiaries maintained within the Village of Dobbs Ferry;
 - b. To be educated in and strictly adhere to best management practices;
 - c. To maintain bees, bee colonies and apiaries in a location and condition that will prevent diseases, abandonment of the apiary by the bee colony and swarming, and discourage any potential for aggressive behavior and other nuisance behaviors, including but not limited to those defined in this article; and
 - d. To respond immediately to control bee swarms and to address and remediate any nuisance conditions.

C. Rules And Regulations.

The Village may promulgate, and may amend from time to time, rules and regulations as may be deemed appropriate in furtherance of this article with such rules and regulations being made available at the office of the Village Clerk and on the Village website. At a minimum, the Village shall include the following items in such rules and regulations:

- (1) All bee colonies shall be kept in appropriately sized, designed and maintained apiaries with removable frames, which shall be kept and maintained at all times in sound and usable condition.
- (2) Each apiary shall be labeled by the beekeeper with the name and contact information of the responsible beekeeper and alternate emergency contact information, which information shall be visible from a distance of no less than 15 feet from the apiary.
- (3) An independent and reliable source of water shall be provided on the property housing the bee colony in a sufficient quantity and within a reasonable distance from the apiary in order to encourage use by the bee colony.
- (4) An appropriate flight barrier shall be located in proximity to the entrance of the hive to encourage an upward flight pattern for all bees in the bee colony as they

enter and depart the apiary.

(5) Guidance concerning examples of "nuisance" activity in the field of beekeeping, including the following illustrative, as opposed to comprehensive, list:

- (a) Bees from bee colonies that injure or threaten injury to persons, domestic pets, or property;
- (b) The presence of bees from bee colonies on neighboring or nearby properties in significant quantities, except that behavior necessary to the routine foraging for pollen by bees shall not constitute per se nuisance behavior;
- (c) Bees from bee colonies that engage in aggressive, swarming or similarly objectionable behavior;
- (d) A bee colony housed in an apiary which is placed so that the apiary or bee movement to/from such apiary unreasonably interferes with pedestrian traffic or persons residing on or adjacent to the property upon which such apiary is located;
- (e) An apiary which is overcrowded, diseased, abandoned or maintained in any condition or location where the bee colony cannot thrive.

D. Annual Bee colony registration.

All apiaries shall be registered annually with the Village on forms provided or approved by the Village; the purposes of such registration being to maintain a record of the number and location of each apiary, to obtain the most current contact and credential/education information in connection with each beekeeper and to obtain a certification from each beekeeper acknowledging receipt of a copy of this article and the most current rules and regulations that may be promulgated pursuant to this article. A beekeeper shall provide to the Village any updates to the information contained in the annual registration within 10 days of any change, including but not limited to the abandonment or change in location of any apiary.

Section 3. Except as otherwise provided herein, all other provisions of the Dobbs Ferry Code Chapter 153 shall remain the same.

Section 4. This Local Law shall take effect immediately and shall be filed with the Secretary of State.



VILLAGE OF DOBBS FERRY
112 Main Street
Dobbs Ferry, New York 10522
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PLEASE TAKE NOTICE that on March 28, 2023, the Dobbs Ferry Village Board of Trustees will meet to conduct a public hearing at 7:30 p.m., or as soon thereafter as the matter may be heard, in the Board Room at Village Hall, 112 Main Street, to receive public comment on an Introductory Local Law which proposes amendments to the Dobbs Ferry Code Chapter 153 to encourage and facilitate the keeping of managed bee colonies in the Village. Except as may be authorized by any overriding federal, state or local order, all meetings of the Village's boards or committees qualifying as "public bodies" are conducted in accordance with Open Meetings Law (NYS Public Officers Law, Article 7). One or more board members may participate remotely under "extraordinary circumstances" as authorized by Open Meetings Law 103-a. Unless otherwise set forth on the Village website (www.dobbsferry.com), in the meeting notice or on the agenda, meetings are conducted using a hybrid format with both in-person and virtual participation options available to the public. For virtual participation, interested parties may be heard using a web-based videoconferencing service by: (i) typing "join.zoom.us" on your web browser and entering the Webinar ID #205 957 953, Passcode: 309361; or (ii) using the direct link <https://zoom.us/j/205957953?pwd=aU5YNHJVYkxub21WN0RzQUZoVzROUT09>; or (iii) dialing telephone number 929 205 6099. Parties may also provide written comments in advance of the hearing to the Village Clerk, 112 Main Street or by e-mail LDreaper@dobbsferry.com. A copy of the proposed local law and detailed instructions for participation may be found online at the Village of Dobbs Ferry website www.dobbsferry.com

BY ORDER OF THE BOARD OF TRUSTEES

Elizabeth Dreaper, RMC
Village Clerk

Dated: March 20, 2023