

ORDINANCE NO. 26-_____

AN ORDINANCE
AMENDING TITLE 10 (POLICE REGULATIONS), CHAPTER 4 (ANIMAL CONTROL)
OF THE CITY OF NAPERVILLE MUNICIPAL CODE
REGARDING BEE KEEPING

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: Amendment to Title 10 (Police Regulations), Chapter 4 (Animal Control), Section 7 (Bee Keeping) of the Naperville Municipal Code. Title 10 (Police Regulations), Chapter 4 (Animal Control), Section 7 (Bee Keeping) of the Naperville Municipal Code is hereby amended by deleting the stricken language and adding the underlined language as follows:

TITLE 10 – POLICE REGULATIONS

CHAPTER 4 - ANIMAL CONTROL

SECTION 7: BEE KEEPING

1. Definitions: As used in this Section, the following words and terms are hereby defined as follows:

APIARY:	The assembly of one or more € Colonies of h Bees at a single location.
BEE:	Any life stage of the common domestic honey bee, <i>Apis Mellifera Species</i> .
BEEKEEPER:	The person who owns or has charge of one or more € Colonies of h Bees.
COLONY:	An aggregate of h Bees consisting of workers, and at times a queen, drones, brood, combs and honey.
<u>FLY AWAY BARRIER:</u>	<u>A solid fence at least six (6) feet in height designed to force Bees to fly upwards when they leave the Hive to avoid contact with people and reduce the risk of stinging.</u>
HIVE:	The human-made receptacle inhabited by a € Colony of h Bees.

2. Location:

- 2.1. Bee keeping of ~~domestic honeybees~~ Bees is allowed in all zoning districts except R2, R3, R3A, R4 and R5. The keeping of non-domestic bees is prohibited.
- 2.2. Hives may not be located in the front yard.
- 2.3. Hives must be located a minimum of ~~five (5)~~ fifteen (15) feet from any property line.
- 2.4. Hives must be a minimum of ~~ten (10)~~ fifteen (15) feet away from any sidewalk or publicly designated path, and if possible kept out of sight.

3. Limits:

- 3.1. The maximum number of ~~h~~Hives that may be located on a property is limited as follows:
 - 3.1.1. Three (3) ~~h~~Hives for all lots less than one-quarter ($\frac{1}{4}$) of an acre.
 - 3.1.2. Six (6) ~~h~~Hives for all lots from one-quarter ($\frac{1}{4}$) acre to one-half ($\frac{1}{2}$) acre.
 - 3.1.3. Ten (10) ~~h~~Hives for all lots greater than one-half ($\frac{1}{2}$) acre.

4. Additional Hive Requirements:

4.1. Fly Away Barrier: Following issuance of a required fence permit but prior to the Hive becoming operational, a minimum six (6) foot tall solid fence shall be installed in front of the Hive entrance. Said Fly Away Barrier shall be located no greater than five (5) feet from the Hive and shall extend at least two (2) feet on either side of the Hive. The finished side of the Fly Away Barrier shall face outward from the lot, toward adjacent properties and public ways and shall include a sign noting that the property contains Bee Hives.

4.2. Water Source: A convenient source of water shall at all times be available to the Bees and shall be located within proximity to the Hive(s); water shall be maintained so as not to become stagnant.

5. Notice.

5.1. Notice Required: At least one week prior to installation of any Hive, the owner of the property on which the Hive(s) will be placed shall provide written notice to all property owners immediately abutting the subject property. Such written notice shall be sent via certified mail, return receipt requested. Upon request by the City, the property owner shall provide evidence of the written notice and proof of proper service via certified mail.

5.2. Contents of Notice. The written notice required under this Section shall include, at a minimum, the following information:

5.2.1. The name, address, telephone number, and email address (if any) of the property owner and the Beekeeper (if different);

5.2.2. The street address of the subject property;

5.2.3. The number of Hives to be installed and the general location of the Hive(s) on the property;

5.2.4. A statement that the Beekeeping operation will be conducted in full compliance with Section 10-4-7 of the Naperville Municipal Code, including the required Fly Away Barrier and water source;

5.2.5. The anticipated date of Hive installation; and

5.2.6. A statement that any questions or concerns may be directed to the property owner or Beekeeper.

64. Registration:

64.1. All eColonies must be registered with the State of Illinois, who inspects and regulates the eColonies.

64.2. Hives must be accessible for the State inspectors to check on a routine basis based on their practice and schedule.

75. Amortization Clause: Any aApiary and/or Hive lawfully established prior to the date of the adoption of this amended Section shall be permitted to continue operating in accordance with provisions of law and the Municipal Code related to nonconforming uses for a six-month period expiring February 18, 2027 ~~April 30, 2017~~. Upon completion of the amortization period, all aApiaries and/or Hives shall operate in compliance with the provisions of Section 10-4-7. All Apiaries and/or Hives established on or after August 18, 2026 shall be in full compliance with this Section.

86. Violations:

86.1. Violations of this Section of the Municipal Code shall result in a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense. A separate offense shall be deemed committed upon each and every day such violation continues.

SECTION 2: Authorization for Technical and Minor Revisions. The City Attorney is hereby authorized to make such technical, conforming, and minor substantive revisions to this Ordinance and to the Naperville Municipal Code as may be necessary or appropriate to carry out the intent and purpose of this Ordinance. Such revisions may include making changes consistent with the legislative intent, all without further action by the Mayor and City Council; provided, however, that no revision shall materially alter the substantive meaning or intent of this Ordinance without the prior approval of the City Council.

SECTION 3: Savings Clause. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision or application of this Ordinance, which can be given effect without the invalid, illegal, or unenforceable provision or application. The provisions of this Ordinance are declared severable.

SECTION 4: Effective Date. This Ordinance shall be in full force and effect upon its passage, approval, in accordance with law.

PASSED this _____ day of _____, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2026.

Scott A. Wehrli, Mayor

ATTEST:

Dawn C. Portner, City Clerk