

7.07.020 - Definitions.

For the purpose of this chapter, the following words, names and terms, shall be construed, unless the context otherwise requires, as provided in this section. Any word or phrase used in this chapter and not defined in this section shall be given the meaning established for such word or phrase by Chapter 1 (commencing with Section 29000) of Division 13 of the Food and Agricultural Code.

"Africanized honey bee" means any bee population that is a hybrid of *Apis mellifera* and *Apis mellifera scutellata*.

"Commissioner" means the Agricultural Commissioner of Tehama County, or his designated agent.

"Host" and "possible carriers" mean and include bee colonies, packaged bees and queen bees of the species *Apis Mellifera*, comb, used hives, and any other appliance used in the association with bee colonies, packaged bees and queen bees of the species *Apis Mellifera*.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.030 - Right of entry.

The commissioner is hereby empowered to enter upon any premises where an apiary is maintained, or upon which he has reason to believe that bees are kept, in order to carry into effect the provisions of this chapter. Where required by law, or otherwise deemed appropriate by the commissioner, the commissioner may apply to a court of competent jurisdiction for a warrant authorizing entry upon the premises.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.040 - Interference with commissioner.

It shall be a violation of this chapter for any person to interfere with the official actions of the commissioner.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.050 - Identification sign required.

It is unlawful for any person to maintain an apiary on premises other than that of his or her residence without having the apiary identified as follows:

A.

By a sign prominently displayed on the entrance side of the apiary, stating in black letters not less than one inch in height on a background of contrasting color either:

1.

The name of the owner or person in possession of the apiary, his address and telephone number, or if he has no telephone, a statement to that effect;

B.

The lettering or number shall be printed or stenciled, or equivalent thereto.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.060 - Location of apiaries.

A.

No person shall place or keep any apiary or cause or allow any apiary to remain closer than three hundred feet to any house or building used as a dwelling, other than a house or building owned or possessed by that person. The restrictions of this subsection are subject to the following exceptions:

1.

If the residential use is begun next to an existing apiary, the three hundred-foot limitation shall apply only upon a separate determination by the agricultural commissioner that there are bees from such apiary which are entering land, other than where such apiary is situated, in an amount such as to endanger public health or safety, or to create unreasonable interference with the use of property of others. An apiary shall not be considered an existing apiary if that location has not been used for apiary purposes within the past five years.

2.

The three hundred-foot limitation does not apply if adequate flight dispersing barriers are constructed and maintained which, in the judgment of the agricultural commissioner, serve to prevent the apiary or apiaries from constituting a nuisance to nearby residents or the public.

3.

The three hundred-foot limitation does not apply if the person placing or keeping the apiary has written permission from the affected resident waiving the distance requirement.

B.

No person shall place or keep any apiary, or cause or allow an apiary to remain closer than one hundred feet from the exterior line of the traveled portion of a public road right of way without the prior approval of the commissioner, except for temporary purposes of transporting the same. The commissioner may adopt rules generally permitting placement or keeping of apiaries within one hundred feet from any public right of way, subject to conditions prescribed by the commissioner,

provided that such placement or keeping shall be consistent with generally accepted agricultural practices in Tehama County, as determined by the commissioner.

C.

No person shall maintain an apiary in any manner that prevents or hinders access to the inside of any hive for inspection by an authorized apiary inspector.

D.

No apiary shall be maintained in any location whenever there are bees from such apiary which are entering land, other than where such apiary is situated, in an amount such as to endanger public health or safety, or to create unreasonable interference with the use of property of others.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.070 - Availability of water.

No person shall place or keep any apiary or beehives, or cause to allow any apiary or beehive to remain in any location unless one of the following conditions exists:

A.

There is a natural water supply in existence within a distance of one mile from the apiary or hive, but no such natural water supply shall be at a greater distance from the apiary than any artificial water supply maintained by any party who has not consented in writing to the placement of the apiary or hives; or

B.

A plentiful supply of fresh water is maintained by the beekeeper adjacent to the apiary or hives, which water supply shall not be further than fifty yards from any such apiary or hive.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.080 - Transporting bees.

A.

No person shall transport bees on the public highway or roads in such a manner that the bees will become a nuisance to the public or create unreasonable interference with the use of property of others.

B.

No person transporting bees shall maintain the vehicle used to transport such bees in a stationary position for such a length of time as to create a nuisance to the public or create unreasonable interference with the use of property of others.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.090 - Keeping of Africanized honey bees.

No person shall willingly and knowingly keep an apiary of Africanized honey bees until such time as the commissioner declares that the keeping of apiaries in the county that are free from Africanized honey bee is no longer possible.

(Ord. No. 1913, § 1, 12-16-2008)

7.07.100 - Provisions supplement laws.

This chapter shall in all respects be construed to supplement and harmonize with the provisions of the laws of the state pertaining to bees and the beekeeping industry.

(Ord. No. 1913, § 1, 12-16-2008)