



ANIMAL SERVICES



Animal Services Community Meeting

Fremont Police Department

January 18, 2023



Meeting Overview

- **Introduction**
- **Current Beekeeping Ordinance and Proposed Amendments**
- **Questions and Answers**
- **Launch of My Fremont Community Survey**



Beekeeping Animal Ordinance Background

- **July 2021** Fremont City Council requested that staff review Animal Ordinance related to goats, chickens and beekeeping
- **September 8, 2022** Community Meeting
- **September 8- September 15, 2022** My Fremont Community Survey
- **September 20, 2022** Ordinance amendments presented to City Council
- **October 4, 2022** Urban agriculture proposed amendments adopted by City Council. City Council directs staff to seek additional public input regarding beekeeping.
- **January 18, 2023** Community Meeting
- **January 18- January 25, 2023** My Fremont Community Survey
- **February 21, 2023** Animal Ordinance item to be reviewed at City Council



Beekeeping- Permitting

CURRENT

- Permit required

PROPOSED SEPTEMBER 2022

- Permit required
- Must register with Alameda County (Food & Agriculture code section 29040 et seq) and provide a copy of such registration to the Animal Services Manager.

NEW CONCEPT FOR CONSIDERATION IN FEBRUARY 2023

- No permit required
- Must be registered with Alameda County (Food & Agriculture code section 29040 et seq) and all beekeeping equipment and beehives must be maintained in good condition with adequate space and management techniques to prevent overcrowding and swarming.



Beekeeping- Property Square Footage & Distance

CURRENT			
Number of Beehives	Minimum Distance From Any Fence Line	Lot Square Footage	Permit Required
0	5 feet	5,999 or less	Yes
1	5 feet	6000 +	Yes
up to 2	5 feet	8000 +	Yes
up to 3	5 feet	10,000 +	Yes
no more than 5	5 feet	21,780 +	Yes
PROPOSED SEPTEMBER 2022			
Number of Beehives	Minimum Distance From Any Fence Line	Lot Square Footage	Permit Required
4	5 feet	n/a	Yes
NEW CONCEPT FOR CONSIDERATION IN FEBRUARY 2023 SINGLE FAMILY DWELLING			
Number of Beehives	Minimum Distance From Any Property Line	Lot Square Footage	Permit Required
Undefined	10 feet	n/a	No



Beekeeping- Location on Property

CURRENT & PROPOSED SEPTEMBER 2022

- No hive may be kept or maintained within any required front or side yard setbacks.

NEW CONCEPT FOR CONSIDERATION FEBRUARY 2023

- All apiaries shall be maintained and placed in a manner that encourages bees to disperse, rather than concentrate, before potentially encountering neighbors or other members of the public. Implementing at least one of the following strategies to disperse bees is required. Additional measures to disperse bees may be required as determined by the Animal Services Manager:
 - Managing the direction and angle of the bee flyway from the entrance of the hive by properly siting and orienting the hives, and by using flyway barriers as needed to modify the departure angle, such that bees reach a height of eight or more feet above the ground.



Beekeeping- Location on Property, cont.

NEW CONCEPT FOR CONSIDERATION FEBRUARY 2023

- Placing beehive boxes at least ten feet from property lines.
- Placing beehives behind a barrier at least six feet in height consisting of a non-penetrable structure not limited to a fence, wall, building or dense vegetation. Fences, walls, and vegetation used to meet this standard shall also comply with Section 18.171, and accessory buildings used to meet this standard shall comply with Section 18.453.
- In Single Family Dwelling lots, beehives shall not be located within 10 feet of any property line.



Beekeeping- Multiple dwelling balconies or patios

Dwelling, multiple: FMC 18.25.940

“Multiple dwelling” shall mean a dwelling designed to contain three or more dwelling units, including apartments, condominiums, attached townhouses and similar dwellings...”

CURRENT

- N/A

PROPOSED SEPTEMBER 2022

- Beehives are not permitted on multi-family balconies or patios.



Beekeeping- Multiple dwelling balconies or patios, cont.

NEW CONCEPT FOR CONSIDERATION FEBRUARY 2023

Before beehives can be placed on Multiple Dwelling lots, the responsible beekeeper shall first obtain written consent from the property owner and/or the homeowner's association, where one exists, and shall provide written notice to all current residents and owners on the lot or within the residential development that are within a one hundred fifty-foot radius of the hive placement site. The notice must include but is not limited to the specific location of the beehive(s); the name, telephone, and email contact information for the beekeeper; the name, telephone, and email contact information of the property owner or homeowner's association where the beehive(s) will be located; and the date on which permission from the property owner or homeowner's association is intended to be granted. The notification must be provided to neighbors at least ten days prior to owner permission being granted to the beekeeper. The responsible beekeeper must also clearly stencil their name and phone number on the box's exterior.



Beekeeping- Multiple dwelling balconies or patios, cont.

NEW CONCEPT FOR CONSIDERATION FEBRUARY 2023

Within Dwelling Group or similar developments, such as townhouses, beehives shall not be placed within ten feet of any private balcony, private yards, or common open space except for those spaces exclusively owned or leased by the responsible beekeeper.



Beekeeping- Care

CURRENT AND PROPOSED 2022

- ...must be maintained properly to prevent bees from swarming.
- ...must be provided a source of fresh clean water on the same lot or parcel as the hive.

ADDITIONAL REQUIREMENTS PROPOSED SEPTEMBER 2022

- Beehive entrances shall face away from the nearest property line(s).
- Beehives must either be screened so that the bees must fly over a six-foot barrier, which may be vegetative, before leaving the property, or be placed at least eight feet (8') above the adjacent ground level.
- A beehive shall be located a minimum of 25 feet from any dwelling on an adjacent property.



Beekeeping- Care, cont.

NEW CONCEPT FOR CONSIDERATION FEBRUARY 2023

All properties on which beehives are kept must provide for adequate water sources on the property at all times of year and must ensure that they do not become a mosquito-breeding site. Adequate sources are those that provide both an amount of water necessary for the number of bees or beehives and a method for the bees to safely access the water.



Beekeeping- Enforcement

CURRENT AND PROPOSED SEPTEMBER 2022

In the event that it is reasonably necessary to protect against an immediate threat or danger to the public health or safety, the animal services manager may suspend any permit summarily, without a hearing, for a period not to exceed 30 days.

Any animal fancier's permit issued pursuant to this chapter may be revoked if, after investigation, the animal services manager finds any of the following to be true:

- (1) The permittee, his/her agent, or employee has been convicted of any offense involving the violation of the California Penal Code relating to cruelty to animals (Cal. Penal Code § 597) or is in violation of the city, county, state or federal laws relating to the regulation or keeping of animals;
- (2) The permittee has failed to keep and maintain the premises or housing for the animals in a clean and sanitary condition;
- (3) The permittee has, at the place for which the permit is issued, failed to provide any animal with proper food, water, shelter or attention;
- (4) The permittee has violated any rules, regulations or conditions adopted by the animal services manager as necessary to ensure an animal will not endanger the safety of any person or property; or
- (5) The permittee has changed the location where an animal is kept, or sells, assigns, transfers, donates, leases, or otherwise disposes of an animal for which the permit was issued.



Beekeeping- Enforcement

NEW CONCEPT FOR CONSIDERATION FEBRUARY 2023

Failure to keep bees in accordance with this section is a public nuisance subject to abatement under Municipal Code Chapters 8.05 (Nuisance Conditions of Private or Public Property), 8.10 (Nuisance Response), and 8.60 (Neighborhood Preservation).



New Concept Summary

- Reduces beekeeper obligations to obtain a permit with the City
- Simplifies and/or eliminates beekeeping procedural language
- Reduces City staff's role in enforcement & compliance
 - The City will rely on the technical expertise of community partners when appropriate

~ Questions & Answers ~

