



# Beekeeper Registration Application

## City of Eden Prairie

### Directions:

- Print legibly in blue or black ink
- Answer all questions and indicate not applicable if appropriate. Any falsification of answers may result in denial of the registration
- **Include a one-time \$75 registration fee (checks payable to The City of Eden Prairie)**
- Please complete both sides of the form and return to the Eden Prairie Police Department - 8080 Mitchell Rd., Eden Prairie, MN 55344.

### Section 1: Applicant

1. Name \_\_\_\_\_  
*Last First Full middle Maiden name*
2. Permanent Residence Address \_\_\_\_\_  
*Street*  
 \_\_\_\_\_  
*City State County Zip*
3. Apiary Address (if different than above) \_\_\_\_\_  
*Street*  
 \_\_\_\_\_  
*City State Zip*
4. Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_
5. Email Address 1: \_\_\_\_\_ Email Address 2: \_\_\_\_\_

### Section 2: Beekeeping Education / Experience

6. Do you have any formal education (courses) or prior hands-on beekeeping experience?  Yes  No  
 If yes, please describe: \_\_\_\_\_  
 \_\_\_\_\_

### Section 3: Acknowledgements

Please **check each box** and then sign and date indicating that you have read and agree with the following:

- Copies of city code 9.73 (the Beekeeping ordinance) and city code 11.65 (the Home Occupation ordinance) are attached to this registration form. I acknowledge that I have read, understand and will comply with all the requirements of both ordinances.
- City code 9.73 requires that the Eden Prairie Police Department shall send notice to all owners of lots within two-hundred (200) feet of any lot line of the apiary site. I acknowledge and understand that the City will send notice to all owners of lots within two-hundred (200) feet of any lot line of the apiary site.
- I understand and agree that I may not engage in the practice of beekeeping within the City of Eden Prairie until I have received notification from the Police Department that my beekeeping registration has been approved.
- I understand that any person may object to a registration at any time within thirty (30) days of approval of an initial or updated registration by addressing to the City Manager a written request for a hearing, and will then have the right to a hearing within 30 days of the written appeal.

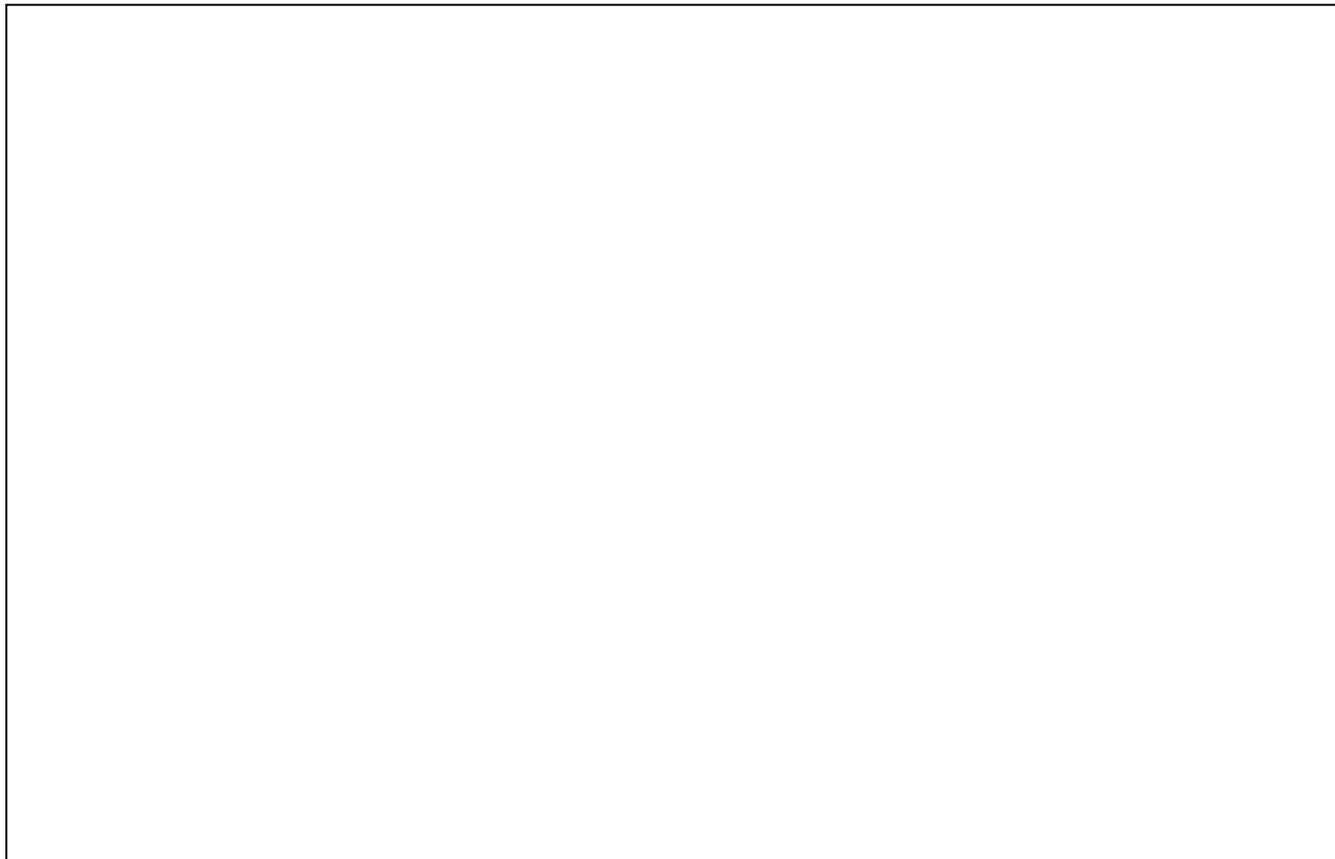
\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

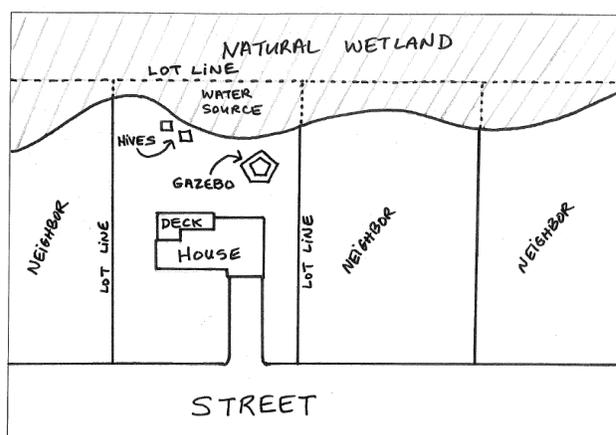
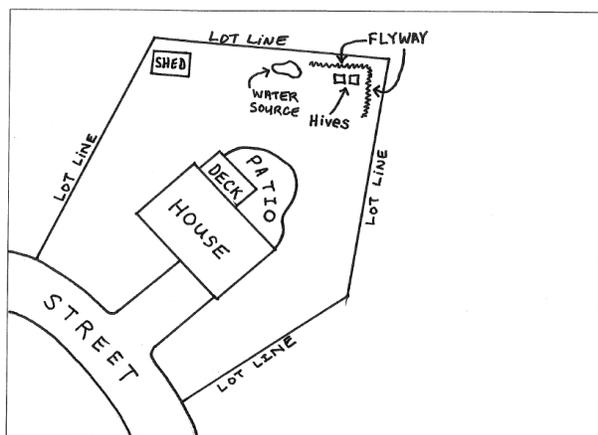
## Section 4: Property & Apiary Diagram

*Please supply a scaled sketch of your property and apiary.*

The sketch must include the location of your house, accessory structures, your lot lines, all honeybee colonies, the required water source and the location of any required flyway barriers.



**EXAMPLES:**



**FOR OFFICE USE ONLY**

**ICR:**

District: \_\_\_\_\_ Hives Permitted: \_\_\_\_\_  
 Lot Size: \_\_\_\_\_ Acreage: \_\_\_\_\_  
 Flyway Req'd:  Yes  No

Received: \_\_\_\_\_ Notices Mailed On: \_\_\_\_\_  
 Appeals Filed:  Yes  No Date: \_\_\_\_\_  
 Registration Approved:  Yes  No Date: \_\_\_\_\_

**SECTION 9.73. KEEPING OF HONEYBEES.**

**Subd. 1. Definitions.** As used in this Section, the following definitions shall apply:

- A. "Apiary" means the assembly of one (1) or more colonies of honey bees on a single lot.
- B. "Apiary site" means the lot upon which an apiary is located.
- C. "Beekeeper" means a person who: (i) owns or has charge of one (1) or more colonies of honey bees; and/or (ii) who owns or controls a lot on which a colony is located whether or not the person is intentionally keeping honey bees.
- D. "Beekeeping equipment" means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.
- E. "Colony" means an aggregate of honey bees consisting principally of workers, but having, when perfect, one (1) queen and at times drones, brood, combs, and honey.
- F. "Hive" means the receptacle inhabited by a colony.
- G. "Honey bee" means all life stages of the common domestic honey bee, *apis mellifera* species.
- H. "Lot" means one unit of a recorded plat, subdivision or registered land survey, or a recorded parcel described by metes and bounds.
- I. "Nucleus colony" means a small quantity of honey bees with a queen housed in a smaller than usual hive box designed for a particular purpose, and containing no supers.
- J. "Person" means any individual, partnership, corporation, company, limited liability company, other entity, or unincorporated association.
- K. "Registrant" means any registered beekeeper and any person who has applied for approval of a beekeeping registration.
- L. "Rooftop" means the uppermost section of a primary or accessory structure of at least one full story and at least twelve (12) feet in height. Areas including but not limited to decks, patios and balconies shall not be considered a rooftop.
- M. "Swarming" means the process where a queen bee leaves a colony with a large group of worker bees.
- N. "Undeveloped property" means: (i) any lot that is not improved with a structure that has or is required to have a certificate of occupancy; and (ii) all streets and highways.
- O. "Unusual Aggressive Behavior" means any instance in which unusual aggressive characteristics such as stinging or attacking without provocation occurs.

**Subd. 2. Registration.**

- A. No beekeeper shall keep honey bees in the City without a current registration from the City of Eden Prairie Police Department.

- B. Each beekeeper shall apply for registration with the Police Department and receive approval of the registration prior to bringing any honey bees into the City.
- C. Beekeepers operating within the City prior to the effective date of this Section shall have four (4) weeks from the date this Section goes into effect to apply for a registration with the Police Department.
- D. The application for registration shall be upon the form provided by the City. If a beekeeper relocates a hive or colony to a new apiary site the beekeeper shall apply for an updated registration, prior to the relocation, on the form provided by the City. All information required by the forms shall be answered fully and completely by the beekeeper.
- E. The City beekeeping registration shall be valid until December 31 of each calendar year and shall be renewed by the registrant prior to expiration each year by submitting a renewal form to the Police Department on the form provided by the City. A person no longer keeping honey bees in the City shall notify the Police Department within thirty (30) days.
- F. Upon the initial registration, annual renewal, and any updated registration, each beekeeper shall allow the Chief of Police or designee the right to inspect any apiary and apiary site for the purpose of ensuring compliance with this Section.
- G. Upon receipt of an application for initial or updated registration the City shall send notice to all owners of lots within two-hundred (200) feet of any lot line of the apiary site(s) identified on the application no less than two weeks prior to a decision to approve or deny the registration. Any person may submit written comments regarding the application to the Police Chief. Within thirty (30) days of an application the Chief of Police or designee shall approve or deny the registration.

**Subd. 3. Required Conditions.**

- A. Honey bee colonies shall be kept in hives with removable frames, which frames shall be kept in sound and usable condition.
- B. Each colony on the apiary site shall be provided with a convenient source of water located on the apiary site. Every effort should be made to ensure that the water source is free of chemicals that are typically found in tap water, such as chlorine and fluoride.
- C. Materials from a hive or colony which might encourage the presence of honey bees, such as wax comb, shall be promptly disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- D. For each colony permitted to be maintained under this Section, there may also be maintained upon the same apiary site, one nucleus colony in a hive structure not to exceed one standard 9-5/8 inch depth 10-frame hive body, with no supers.
- E. Beekeeping equipment shall be maintained in good condition, including keeping the hives painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism, and occupancy by swarming honey bees.
- F. Hives shall be continuously managed to provide adequate living space for their resident honey bees in order to prevent swarming.

- G. In any instance in which a colony exhibits unusual aggressive behavior, it shall be the duty of the beekeeper to promptly re-queen the colony. Whenever possible, queens shall be selected from European stock bred for gentleness and non-swarmling characteristics.
- H. Fruit trees and other flowering trees which are located on an apiary site shall not be sprayed, while in full bloom, with any substance which is injurious to honey bees.

**Subd. 4. Colony Location.**

- A. Excluding lots that are zoned Rural and are ten (10) acres or more in size, no hive shall occupy any front yard. For the purposes of this Section, a corner lot shall be considered to have two (2) front yards.
- B. In no instance shall any part of a hive be located within ten (10) feet of any lot line.
- C. In no instance shall any part of a hive be located within ten (10) feet of any dwelling unit in any zoning district.
- D. Except as otherwise provided in this Section, in each instance where any part of a hive is kept within twenty-five (25) feet of a lot line of the apiary site, the beekeeper shall establish and maintain along said lot line screening consisting of a flyway barrier of at least six (6) feet in height.
  - 1. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that honey bees will fly over rather than through the material to reach the colony.
  - 2. If a flyway barrier of dense vegetation is used, the initial planting may be four (4) feet in height, so long as the vegetation reaches a height of six (6) feet or higher within two (2) years of installation.
  - 3. The flyway barrier must continue parallel to the lot line of the apiary site for ten (10) feet in both directions from the hive, or contain the hive or hives in an enclosure at least six (6) feet in height.
  - 4. A flyway barrier is not required if the hive is located on a rooftop or if the lot abutting the lot line of the apiary site where the flyway barrier would be required is:
    - (a) undeveloped property; or
    - (b) zoned Rural and is 10 acres or more in size.
- E. All apiaries located within the R, R-1 and RM districts shall comply with Eden Prairie City Code Section 11.65 pertaining to Home Occupation.

**Subd. 5. Colony Density.**

- A. Every lot within the City shall be limited to the following number of colonies based on the size of the lot:
  - 1. ½ acre or smaller = 2 colonies
  - 2. more than ½ acre to ¾ acre = 4 colonies

3. more than  $\frac{3}{4}$  acre to 1 acre = 6 colonies
  4. more than 1 acre to 5 acres = 8 colonies
  5. more than 5 acres = no restriction
- B. Regardless of lot size, if all lots within two hundred (200) feet of any lot line of the apiary site are undeveloped property, there shall be no limit to the number of colonies that can be kept on the apiary site. However, upon the development of any lot within two hundred (200) feet of any lot line of the apiary site, the apiary site shall comply with the restriction set forth in this Subdivision 5.
- C. If any person removes honey bees from locations where they are not desired, that person shall not be considered in violation of the restriction in this Subdivision 5, if the person temporarily houses the honey bees on the apiary site of a beekeeper registered under this Section for no more than 30 days and remains at all times in compliance with the other provisions of this Section.

**Subd. 6. Inspection.**

- A. Upon prior notice to the owner of the apiary site, the Chief of Police or designee shall have the right to inspect any apiary for the purpose of ensuring compliance with this Section.
- B. It shall be deemed a violation of this Section for any person to resist, impede or hinder the Chief of Police or designee in the performance of their duties in inspecting any apiary and apiary site.

**Subd. 7. Denial, Revocation or Suspension.**

- A. Beekeeping registrations under the provisions of this Section may be denied, revoked or suspended by the Chief of Police or designee after notice and the right to request a hearing, for any of the following causes:
1. Fraud, misrepresentation or false statements on any application or registration form or during the course of the registered activity.
  2. The keeping of honey bees in an unlawful manner or a manner so as to constitute a breach of peace, or to constitute a menace to the health, safety or general welfare of the public.
  3. Any violation of this Section.
- B. Notice of the denial, revocation or suspension, shall be in writing, specifically setting forth the grounds for denial, revocation or suspension and the registrant's right to request a hearing before the City Manager or designee. Such notice shall be mailed to the registrant at the address listed on the application. A registrant may request a hearing by filing a written request for hearing addressed to the City Manager within fifteen (15) days of the date of the notice. A hearing shall be held within thirty (30) days of the request. The City shall notify the registrant in writing of the time, date and location of the hearing at least five (5) days prior to the hearing. Within fifteen (15) days after the hearing the City Manager or designee shall issue a written decision and that decision shall be final. A copy of the decision shall be mailed to the registrant. If the registrant fails to request a hearing within fifteen (15) days of the date of the notice, the denial, suspension, or revocation shall automatically be deemed final. A revocation or suspension of a registration shall not be effective until issuance of a

decision by the City Manager or designee. No appeal is allowed to the City Council under Section 2.80 of the City Code from a decision of the City Manager under this Section.

**Subd. 8. Appeal.**

A. A person may object to a registration at any time within thirty (30) days of approval of an initial or updated registration by addressing to the City Manager a written request for a hearing before the City Manager or designee. The hearing shall be held within thirty (30) days of the request. The City shall notify in writing the person requesting the hearing and the person whose registration is objected to, date and location of the hearing at least five (5) days prior to the hearing. Within fifteen (15) days after the hearing the City Manager or designee shall issue a written decision and that decision shall be final. A copy of the decision shall be mailed to the person who requested the hearing and the person whose registration was objected to. No appeal is allowed to the City Council under Section 2.80 of the City Code from a decision of the City Manager under this Section.

**Section 2.** City Code Chapter 9, Section 9.08, Subd. 1 A is hereby amended by deleting the words “and honey bees” and inserting the word “and” before the words “guinea hens”.

**Section 3.** City Code Chapter 9, Section 9.08, Subd. 5 is hereby amended by inserting at the end of the sentence the words “, provided however this provision does not apply to honey bees kept pursuant to City Code Section 9.73”.

**Section 4.** City Code Chapter 9, Section 9.08, Subd. 7 A is hereby amended by deleting the words “except honey bees”.

**Section 5.** City Code Chapter 9, Section 9.08, Subd. 8 is hereby amended by deleting the words “, except honey bees,”.

**Section 6.** City Code Chapter 9, Section 9.11, Subd. 11 C 8 is hereby amended by inserting at the end of the sentence the words “, except for honey bees kept pursuant to City Code Section 9.73”.

**Section 7.** City Code Chapter 1 entitled “General Provisions and Definitions Applicable to the Entire City Code Including Penalty for Violation” and Section 9.99 entitled “Violation a Misdemeanor” are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

**Section 8.** This ordinance shall become effective from and after its passage and publication.

**SECTION 9.99. VIOLATION A MISDEMEANOR.**

Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful or fails to act when such failure is thereby prohibited or declared unlawful, or performs an act prohibited or declared unlawful or fails to act when such failure is prohibited or declared unlawful by a Code adopted by reference by this Chapter, and upon conviction thereof shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

Source: City Code  
Effective Date: 9-17-82

**SECTION 11.65. HOME OCCUPATION.**

**Subd. 1. Purpose And Intent For Home Based Business.** To establish standards by which home based businesses are allowed in residential neighborhoods and preserve the residential characteristics of the R, R1 and RM Districts. Home based businesses shall have no adverse impact to building aesthetics, traffic volume, noise, odor, or any other activity that adversely affects the health, safety and general welfare or is detrimental to the residential nature of the surrounding neighborhood.

Source: Ordinance No. 1-2009

Effective Date: 02-26-2009

**Subd. 2. Required Conditions.** It is unlawful to conduct a home based businesses except in the R, R-1 and RM Districts, and it is also unlawful to conduct a home occupation except in compliance with the following regulations:

A. A home based business shall be conducted in a dwelling. No more than 25% of the dwelling may be devoted to home based business use. Home based businesses are not permitted within a detached accessory building or garage.

B. A home based business shall not be conducted in an accessory structure, and there shall be no storage of equipment or supplies in an accessory structure or outside the dwelling.

Source: City Code

Effective Date: 9-17-82

C. An entrance to the space devoted to such home based business shall be within the dwelling. There shall be no internal or external alterations, or construction features not typically found in a dwelling.

D. This home based business shall be carried on or conducted only by members of a family residing in the dwelling and no more than one non-resident of the dwelling.

Source: Ordinance No. 9-87

Effective Date: 5-7-87

E. No non-vehicular motor utilized in connection with the operation of a home based business shall exceed 1 horse power. Non-vehicular motors shall not be operated or tested at the premises of a home based business.

F. A home based business shall not create any radio or television interference or create noise audible beyond the boundaries of the site.

G. No smoke, odor, liquid, or solid waste shall be emitted.

H. Not more than one vehicle of not more than  $\frac{3}{4}$  ton capacity, nor any trailers, utilized in connection with a home based business shall be permitted at the site of the home based business. Any vehicles utilized in connection with the home based business having ladders, pipes, glass, tools, buckets, tanks, snow plow, winch, or any other appendages and vehicles licensed as a cab or limousine shall be parked in an attached garage when at the site of the home based business. Vehicles utilized in connection with a home business shall not be permitted to be parked on the public or private streets for more than 4 hours in a 24 hour period.

I. A home based business shall not create business related pedestrian, automobile, or truck traffic in excess of 10 trips per dwelling per day. One trip shall be measured as any business related activity requiring pedestrian, automobile or truck to enter or leave on which the dwelling is located.

- J. No retail or wholesale sales activity shall be conducted on the premises other than by telephone, mail, Internet or other electronic medium.
- K. Parking is limited to 4 spaces for an employee, visitors and invitees of the home based business. No vehicles utilized in connection with the home based business and no employee or customer vehicles may be parked on public or private streets.
- L. Deliveries for a home based business shall be limited to straight axle vehicles and shall be limited to two delivery or pick-up trips per day and during the hours of 7:00 a.m. to 7:00 p.m.
- M. Hours of operation for customers of a home business shall be limited to the hours between 7:00 a.m. and 7:00 p.m.
- N. A home based business may display one exterior sign not to exceed one square feet for the dwelling and two signs for each vehicle associated with the home based business, each sign not to exceed one square feet.

Source: Ordinance No. 1-2009  
Effective Date: 02-26-2009

**SECTION 11.99. VIOLATION A MISDEMEANOR.**

Every person violates a section, subdivision, paragraph, or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

Source: City Code  
Effective Date: 9-17-82