



**TO:** The Honorable Mayor and City Council

**FROM:** Ty Livingston, Director of Planning & Community Development

**DATE:** March 29, 2022

**SUBJECT:** Petition of the City of East Peoria to amend City Code 5-2-3, 5-8-2, and 5-8-3 pertaining to beekeeping.

**BACKGROUND:** The petition here is for a code change to permit beekeeping as a Special Use in residential zoning. The City has recently been approached by a new resident regarding this issue but as we've investigated it further, there appears to be an active local community of beekeepers in the area. The draft language presented here is modeled after the City of Peoria's ordinance with input from some of the local bee-keeping community. Overall, while they would prefer to have beekeeping allowed by right, they're supportive of the language presented.

At their meeting, the ZBA 4-0 to recommend this code change. We had a number of representatives in the audience at that meeting in support of the code change so I would anticipate some to attend the City Council meeting, as well.

**RECOMMENDATION:** Approval, as presented.

**ORDINANCE NO. 4642**

**AN ORDINANCE AMENDING ZONING REGULATIONS  
IN TITLE 5 OF THE EAST PEORIA CITY CODE  
FOR SPECIAL USES ALLOWED IN RESIDENTIAL DISTRICTS  
TO INCLUDE BEEKEEPING IN LIMITED SITUATIONS**

**WHEREAS**, the City of East Peoria has been approached by residential property owners seeking the ability to raise honeybees on their residential property; and

**WHEREAS**, the general decline of honeybee populations and bee colonies have been documented in scientific journals and the media in recent years due to habitat loss, pesticide threats, and diseases; and

**WHEREAS**, City staff have determined that in limited situations and as an approved special use, beekeeping can be maintained in residential districts within the City of East Peoria in a manner that is harmonious with residential uses of property; and

**WHEREAS**, in an effort to establish beekeeping as an approved special use in residential districts within the City of East Peoria, City staff have prepared a proposed amendment to the City's zoning regulations that establish certain conditions and parameters to ensure sound beekeeping practices are implemented that are intended to avoid problems that may otherwise be associated with the keeping of bees in residential areas; and

**WHEREAS**, after holding a public hearing in March 2022 pursuant to duly published notice, the East Peoria Zoning Board of Appeals has recommended approval of the proposed amendment to the City's zoning regulations to allow beekeeping in residential districts under an approved special use and under certain conditions and parameters as set forth herein; and

**WHEREAS**, the City Council finds that adoption of the proposed amendments to the City's zoning regulations to allow beekeeping in residential districts under an approved special use and under certain conditions and parameters as set forth herein would serve the best interests and the public good of the City of East Peoria and its citizens;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:**

**Section 1.** New Section 2(b)(26) is hereby added to Title 5, Chapter 8 of the East Peoria City Code as follows:

**5-8-2. B-1 Conservation and residential estate district.**

(b) *Special uses.*

(26) Beekeeping.

- a. Definitions. As used herein for this “beekeeping” special use, the following definitions shall apply:

*Apiary* means a place where bee colonies are kept, being the assembly of one or more colonies of bees at a single location.

*Bee* means any stage of the common domestic honeybee, *Apis Mellifera* Species.

*Beekeeping Equipment* means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

*Colony* means a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

*Honeybee* means all life stages of the common domestic honeybee, *Apis Mellifera* species.

*Hive* means a structure intended for the housing of a bee colony.

- b. Hives. Hives densities may not exceed four (4) hives per 10,000 square feet of lot area. All honeybee colonies shall be kept in hives with moveable frames, which shall be kept in sound and usable condition. Hives shall be operated and maintained per this ordinance and in accordance with State law.
- c. Signage. Each hive shall be conspicuously marked with the owner's name, address, and telephone number, in addition to State requirements.
- d. Location and Setback. All hives shall be in the side or rear yard only, at least ten feet from any adjoining property line with the back of the hive facing the nearest adjoining property. Setbacks, spacing, and

orientation must be indicated on a site plan, with two (2) feet by three (3) feet per hive. No setbacks are required on rooftop installations.

- e. Water. Each beekeeper shall ensure that a convenient source of water is always available to the bees during the year so that the bees will not congregate at swimming pools, pet watering bowls, bird baths or other water sources where they may cause human, bird or domestic pet contact. The water shall be maintained so as not to become stagnant. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.
- f. Maintenance. Each beekeeper shall ensure that no bee comb or other materials are left upon the grounds of the apiary site. Upon their removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure. All associated items, including screening, must be maintained in good condition.
- g. Queens. In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to re-queen the colony. Queens shall be selected from European stock bred for gentleness and non-swarming characteristics.
- h. Swarming Control. Appropriate measures shall be taken to control swarming.
- i. Conduct and Registration Requirements.
  - 1. It shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety or creates a nuisance.
  - 2. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.

3. Each beekeeper shall be registered with the State of Illinois and submit proof to the City prior to the establishment of a hive. All unregistered hives are considered a nuisance.

**Section 2.** New Section 3(b)(31) is hereby added to Title 5, Chapter 8 of the East Peoria City Code as follows:

**5-8-3. R-1 One-family dwelling district.**

(b) *Special uses.*

(31) Beekeeping, as defined in Section 5-8-2(b)(26).

**Section 3.** This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

**Section 4.** This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

**Section 5.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

**Section 6.** This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

**PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**EXAMINED AND APPROVED:**

\_\_\_\_\_  
Corporation Counsel