

Review of Legislation, By-laws, Ordinances, Regulations and Guidelines Regarding Urban Beekeeping

Newfoundland and Labrador Beekeeping Association

Prepared by Peter Armitage 4 May 2015 (draft 4)

Overview

The purpose of this document is to review legislation, by-laws, ordinances, regulations and guidelines in place in various jurisdictions across Canada and elsewhere in the world with respect to beekeeping in urban areas. The research for this review is based almost exclusively on Google internet searches and correspondence with two beekeepers – John Russell, Red River Apiarists' Association, Manitoba, and Geoffrey Paynter, former board member of the Prince Edward Island Beekeepers Association. Google searches “sampled” provincial, state and city beekeeping legislation and regulations that are posted on internet websites. The sample excludes jurisdictions where urban beekeeping is not addressed in legislation and/or where regulation documents are not posted on internet websites.

Table 1 summarizes beekeeping regulations in numerous jurisdictions across Canada as well as in several international ones in a very cursory manner. For more information concerning specific regulations (or lack thereof), readers are directed to relevant documents for each jurisdiction listed in the Reference section (endnotes) below. Table 2 provides Statistics Canada estimates concerning the number of beekeepers and colonies by province for 2013. The estimate did not include Newfoundland because the province had “no honey production to report” at the time. Therefore, the Table 1 figure for Newfoundland was estimated by Barry Hicks.¹ Appendix 1 provides the URLs of websites that provide examples of major cities internationally that permit and/or encourage beekeeping.

Summary

Regulation of urban beekeeping activities is achieved through a mixture of provincial and municipal legislation and by-laws. Virtually all provinces have some kind of “bee act” that requires beekeepers to register their colonies. Provincial legislation may deal not only with mandatory registration but also the number and location of hives in relation to property size and boundaries, the importation of bees, comb and other materials from other provinces or countries, protection against diseases, inspection by the provincial apiculturist or veterinarian, and other matters. British Columbia appears to have the greatest number of individual municipal by-laws that supplement the beekeeping provisions in the province's Animal Health Act. In addition to the five B.C. cities listed in Table 1, Delta, Maple Ridge, New Westminster, North Vancouver, Surrey, and Vernon have by-laws and/or regulations regarding beekeeping.² The City of Vancouver does not have a beekeeping by-law; instead it provides guidelines for the proper maintenance of urban bee colonies. Saskatoon follows the same approach but with Animal Control Bylaw No. 7860, where colonies must be properly maintained so as to prevent “unduly defensive behaviour.” Charlottetown, P.E.I., does not have specific beekeeping by-laws, but does have a

“nuisance” by-law that can be used to control improper beekeeping methods or problems with bees. Many other cities across Canada appear to have no by-laws, regulations or guidelines with respect to urban beekeeping, as is the case for St. John’s, Corner Brook, Gander, and Grand Falls/Windsor in Newfoundland. This may be due in part to the low numbers of beekeepers in these cities/towns and their limited public visibility. Clarenville (Newfoundland), Oromocto (New Brunswick) and Winnipeg (Manitoba) are three Canadian cities/towns that currently prohibit beekeeping, however, the Red River Apiarists’ Association is optimistic that the Winnipeg prohibition will be removed in the near future.

Internationally, many large cities have not only permitted beekeeping activities, but have actively promoted them as a part of various sustainability and green initiatives. The Fairmont Hotel chain in Canada and the United States has transformed many of its formerly sterile hotel roof tops into garden oases and apiaries for the benefit of guests and restaurant clients. Dana Hauser, hailing from Upper Island Cove, Newfoundland, is the Executive Chef of the Fairmont Waterfront in Vancouver, and is an enthusiastic ambassador for urban beekeeping. She uses the honey from the hotel’s rooftop apiary in many of her recipes.³ As noted by Kristyna Vogel, Marketing and Public Relations Manager, at the Fairmont Waterfront, “we are very passionate about both honey bees and other pollinators here at the Fairmont Waterfront. We have had bees in our 3rd floor garden and hosted daily tours with guests since 2007 without issues.”⁴

Table 1. Summary of government regulations regarding beekeeping

| E.g. | City | Province/State | Country | Regulation | Details |
|------|------------|----------------|---------|---------------------------|---|
| 1 | All cities | B.C. | Canada | Province | Beekeeping regulated under the <i>Animal Health Act</i> . ⁵ Registration with chief veterinarian of the province. Bee colonies, locations, etc. must be registered. |
| 2 | Vancouver | B.C. | Canada | Province, city guidelines | Guidelines re. good management practices. ⁶ |
| 3 | Burnaby | B.C. | Canada | Province, city by-law | By-law with zoning, restricts property size for apiary, distance from fences, rear yard only, 2 hives + 2 nucleus colonies, etc. ⁷ |
| 4 | Richmond | B.C. | Canada | Province, city by-law | By-law with general requirements re. prevention of swarming or aggressive behaviour, etc. ⁸ |
| 5 | Oak Bay | B.C. | Canada | Province, city by-law | Permit required from municipal Licence Inspector, regulations re. zoning, location on property, distance from property line, provision of water, 2-4 hives max., height of hive entrance, etc. ⁹ |
| 6 | All cities | Alberta | Canada | Province | Beekeeping regulated by the <i>Bee Act</i> . ¹⁰ Beekeepers must register with the Provincial Apiculturist in accordance with the regulations. |
| 7 | Calgary | Alberta | Canada | Province, city | Guidelines re. good management practices. ¹¹ |

| | | | | guidelines | |
|----|-------------|----------------------|--------|---------------------------|---|
| 8 | Edmonton | Alberta | Canada | Province, city guidelines | Beekeeping approved 23 Mar. 2015. Amendments to the Animal Licensing and Control Bylaw expected by end of April 2015. Guidelines not yet posted. ¹² |
| 9 | All cities | Saskatchewan | Canada | Province | Beekeeping regulated by the <i>Apiaries Act</i> , 2005. Beekeeping certificate required from the Province. ¹³ |
| 10 | Saskatoon | Saskatchewan | Canada | Province, city | In addition to the <i>Apiaries Act</i> , beekeeping regulated by the City's Animal Control Bylaw No. 7860, 1999, Codified to Bylaw No. 9175 (20 May 2014); requires proper maintenance of bees so as to prevent "unduly defensive behaviour." ¹⁴ |
| 11 | All cities | Manitoba | Canada | Province | Beekeeping regulated by <i>The Bee Act</i> . Beekeepers must be registered under the Act. ¹⁵ |
| 12 | Winnipeg | Manitoba | Canada | City | Beekeeping previously prohibited under the Exotic Animal Bylaw. ¹⁶ Apparently still effectively banned by the Responsible Pet Ownership By-law. ¹⁷ |
| 13 | All cities | Ontario | Canada | Province | Beekeeping regulated by the <i>Bees Act</i> . Beekeepers must be registered with the Provincial Apiarist. ¹⁸ |
| 14 | Toronto | Ontario | Canada | Province | Apparently no regulation apart from that provided by provincial legislation. The 30 metre distance regulation in the Bees Act is apparently ignored as long as there are no complaints. ¹⁹ |
| 15 | Guelph | Ontario | Canada | Province | No specific regulations pertaining to bees. ²⁰ |
| 16 | Kitchener | Ontario | Canada | Province | Beekeeping assessed on an individual basis using the City's property standards by-law. ²¹ |
| 17 | All cities | Quebec | Canada | Province | Beekeeping regulated by the <i>Animal Health Protection Act</i> . Beekeeper registration apparently not required but restrictions apply. ²² |
| 18 | All cities | New Brunswick | Canada | Province | Beekeeping regulated by the <i>Apiary Inspection Act</i> . Beekeepers and apiaries must be registered. ²³ |
| 19 | Fredericton | New Brunswick | Canada | Province | No bylaws prohibiting, but also no explicit support in ordinances. ²⁴ |
| 20 | Oromocto | New Brunswick | Canada | Province | Bees classed as "Farm Animals" under By-law 417 and "custody of farm animals is forbidden as per the Zoning By-law." ²⁵ |
| 21 | All cities | Nova Scotia | Canada | Province | Beekeeping regulated by the <i>Bee Industry Act</i> . Beekeepers must register with the provincial apiarist. ²⁶ |
| 22 | All cities | Prince Edward Island | Canada | Province | Beekeeping regulated under the <i>Animal Health and Protection Act</i> , Chapter A-11.1, "Bee Health Regulations" but the focus is on protecting genetics and health of provincial bees. Bee Health Certificate |

| | | | | | |
|----|------------------|-------------------------|---------------|----------------|--|
| | | | | | required. ²⁷ |
| 23 | Charlottetown | Prince Edward Island | Canada | Province | No specific mention of beekeeping in City by-laws. However, complaints and problems concerning bees may be dealt with under the City's Nuisance Bylaw. ²⁸ |
| 24 | All cities | Newfoundland & Labrador | Canada | Province | Importation regulated by the <i>Animal Health and Protection Act</i> . ²⁹ No specific mention of beekeeping in any town/city by-laws. |
| 25 | Clareville | Newfoundland & Labrador | Canada | Province | The "raising of bees" is defined as an "agriculture operation" and is a restricted use in the Residential Zone under the Development Regulations. ³⁰ |
| 26 | Johannesburg | | South Africa | City | Beekeeping permit required by the City of Johannesburg Metropolitan Municipality Public Health By-Laws. ³¹ |
| 27 | Chicago | Illinois | United States | State, city | Up to five hives or colonies of honey bees may be kept. Registration with the Illinois Department of Agriculture required. ³² |
| 28 | Honolulu | Hawaii | United States | City | Regulated by the Honolulu Animals and Fowl ordinance. Voluntary registration under State Act 200(11) Relating to Agriculture. ³³ |
| 29 | Washington, D.C. | District of Columbia | United States | District, city | Regulated by the <i>Sustainable Urban Agriculture Apiculture Act of 2012</i> . Colonies must be registered annually with the District Department of Environment. Regulation re. number of hives, distance to property line, flyway barriers, provision of water, importation of comb, genetics, etc. ³⁴ |
| 30 | Melbourne | Victoria | Australia | State | Regulated by the <i>Beekeeping and the Livestock Disease Control Act 1994</i> and Apiary Code of Practice. Beekeeper registration required. Regulations deal with branding of hives, introduction of bees, disease control, etc. ³⁵ |

Table 2. Numbers of beekeepers and colonies by province, 2013³⁶

| Province | # Beekeepers | # Colonies |
|------------------|---------------|-----------------|
| British Columbia | 2,323 | 42,544 |
| Alberta | 900 | 280,000 |
| Saskatchewan | 715 | 100,000 |
| Manitoba | 531 | 73,800 |
| Ontario | 3,150 | 97,500 |
| Quebec | 310 | 50,000 |
| New Brunswick | 244 | 4,318 |
| Nova Scotia | 265 | 19,500 |
| P.E.I. | 45 | 4,432 |
| Newfoundland | ~30??? | ~300 |
| Total | ~8,513 | ~672,394 |

Appendix 1. Examples of Major Cities Internationally that Allow Beekeeping

Berlin, Germany - <http://www.dw.de/bee-business-picking-up-in-berlin/a-16323295>

Brisbane, Australia - <http://www.abc.net.au/news/2013-11-15/urban-beehive-movement-in-australia-and-around-the-world/5093764>

Chicago, USA - <http://www.chicagohoneycoop.com/>

Honolulu, USA - http://www.huffingtonpost.com/2014/08/02/hyatt-regency-waikiki-honeybees_n_5639804.html

Johannesburg, South Africa - http://www.beeware.co.za/by_laws.htm

Hong Kong, China - <http://www.hkhoney.org/home.html> and <https://vimeo.com/21746934>

<http://assemblepapers.com.au/2013/10/17/high-rise-honey-michael-leung/>

London, England - <http://www.urbanbees.co.uk/>

Melbourne, Australia - <http://www.rooftophoney.com.au/>

Paris, France - http://www.nytimes.com/2008/10/01/health/01iht-parisbees.16613547.html?_r=2&

<http://pursuitist.com/urban-beekeeping-at-waldorf-astoria-new-york/>

San Francisco, USA – <http://www.sfenvironment.org/article/animal-husbandry/regulations-on-beekeeping-by-the-san-francisco-department-of-public-health> also <http://urbanbeesf.com/> and <http://www.citybees.com/>

Tokyo, Japan - <http://ourworld.unu.edu/en/tokyo-honey-a-role-for-urban-bees>

Washington, D.C. , USA - <http://www.dcbeekeepers.org/beekeeping-law-dc>

References

-
- ¹ Barry Hicks e-mail to Peter Armitage 28 May 2014.
- ² See <http://www.urbanbeenetwork.ca/index.php/urban-issues/bylaws>
- ³ See <http://www.theaustralian.com.au/life/travel/hotel-of-the-week-the-fairmont-waterfront-vancouver/story-e6frg8rf-1227070517346> and Mark L. Winston's 2014 *Bee Time: Lessons from the Hive*. Cambridge, Mass.: Harvard University Press, pp. 121-122. See also Fairmont's Bee Sustainable Program - <http://www.fairmont.com/promotions/fairmontbees/>
- ⁴ Kristyna Vogel, Marketing & Public Relations Manager, Fairmont Waterfront, e-mail to Peter Armitage, 8 April 2015.
- ⁵ Government of British Columbia. Bee Regulation. *Animal Health Act*. B.C. Reg. 3/2015 O.C. 18/2015 http://www.bclaws.ca/civix/document/id/complete/statreg/3_2015
- ⁶ City of Vancouver. Hobby Beekeeping. Planning, By-law Administration Bulletins. 15 April 2014. <http://vancouver.ca/files/cov/bee-guidelines.pdf>
- ⁷ City of Burnaby. nd. *Apiculture: Urban Beekeeping in Burnaby*. City of Burnaby's Regulations Regarding the Keeping of Honeybees. http://www.urbanbeenetwork.ca/images/pdfs/Burnaby_beebylaw.pdf
- ⁸ City of Richmond. nd. Animal, Bird & Beekeeping Regulation Bylaw No. 7137. Part Six: Beekeeping. http://www.richmond.ca/_shared/assets/072400_bylaw71371280.pdf
- ⁹ Corporation of the District of Oak Bay. nd. Bylaw No. 4013. A Bylaw to Provide for the Licensing and Controlling of Animals in the Municipality of Oak Bay. <https://www.oakbay.ca/sites/default/files/municipal-services/bylaws/4013.pdf>
- ¹⁰ Government of Alberta. nd. *Bee Act*. Revised Statutes of Alberta 2000, Chapter B-2, current as of Nov. 1, 2010. http://www.qp.alberta.ca/1266.cfm?page=B02.cfm&leg_type=Acts&isbncln=9780779752157
- ¹¹ City of Calgary. Nd. Guidelines for Safe Urban Beekeeping in Calgary. http://www.backyardbees.ca/user_files/BeeGuidelinesCalgary.pdf
- ¹² Keeping Bees in Edmonton Approved by City Council. http://www.edmonton.ca/city_government/urban_planning_and_design/beekeeping-pilot-project.aspx
- ¹³ Government of Saskatchewan. 2005. *The Apiaries Act*. Chapter A-22.01 of *The Statutes of Saskatchewan*, 2005.
- ¹⁴ See City of Saskatoon, Animal Control Bylaw No. 7860, "Requirement for the Keeping of Bees," Section 21.1 <https://www.saskatoon.ca/sites/default/files/documents/city-clerk/bylaws/7860.pdf>
- ¹⁵ Government of Manitoba. *The Bee Act*. C.C.S.M. c. B15. http://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=b15
- ¹⁶ City of Winnipeg. Exotic Animal By-law, No. 3389/83 (repealed 17 July 2013) <http://clkapps.winnipeg.ca/dmis/docext/viewdoc.asp?documenttypeid=1&docid=480> See also <http://www.winnipeg.sun.com/2013/07/01/city-by-law-bugs-beekeepers>, <http://www.cbc.ca/news/canada/manitoba/winnipeg-reviews-urban-beekeeping-1.1163758> and <https://www.facebook.com/video/video.php?v=10150698948272988>
- ¹⁷ City of Winnipeg. 2014. Responsible Pet Ownership By-law. By-law no. 92/2013. <http://winnipeg.ca/cms/animal/pdfs/RPO.pdf>
- ¹⁸ Government of Ontario. 2009. *Bees Act*, R.S.O. 1990, c. B.6. <http://www.ontario.ca/laws/statute/90b06> See also <http://www.omafra.gov.on.ca/english/food/inspection/bees/beekeepingregulations.pdf>
- ¹⁹ Fane, Kate. 2015. "Toronto Swarms to Urban Beekeeping." *Torontoist*. April 9. <http://torontoist.com/2015/04/toronto-swarms-to-urban-beekeeping/>
- ²⁰ See City of Guelph By-laws Pertaining to Animals. <http://guelph.ca/living/pets-and-animals/by-laws-pertaining-to-animals/>
- ²¹ See <http://www.cbc.ca/news/canada/kitchener-waterloo/beekeeper-baffled-by-kitchener-by-law-that-calls-bees-pests-1.2811697> and <https://www.kitchener.ca/en/livinginkitchener/PropertyMaintenanceStandards.asp>
- ²² Government of Quebec. *Animal Health Protection Act*. R. S. 1964, c. 126, s. 1; 1973, c. 22, s. 22; 1979, c. 77, s. 21; 2000, c. 26, s. 53. Updated to 1 April 2015. http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/P_42/P42_A.html

-
- ²³ Government of New Brunswick. *Apiary Inspection Act*. <http://laws.gnb.ca/en/showpdf/cs/2011-c.111.pdf> See also <http://app.infoaa.7700.gnb.ca/gnb/Pub/EServices/ListServiceDetails.asp?ServiceID1=7175&ReportType1=All>
- ²⁴ See <http://www.centralbeekeepers.com/#!/regulations/ck8r>
- ²⁵ See Town of Oromocto By-law 417 Establishing Control of Animals in the Town of Oromocto. [http://www.oromocto.ca/userimages/files/417%20Animal%20Control%20\(Consolidated\).pdf](http://www.oromocto.ca/userimages/files/417%20Animal%20Control%20(Consolidated).pdf)
- ²⁶ Government of Nova Scotia. *Bee Industry Act*. Bill No. 173. 2005. http://nslegislature.ca/legc/bills/59th_1st/3rd_read/b173.htm
- ²⁷ See “Bee Health Regulations” <http://www.gov.pe.ca/law/regulations/pdf/A&11-1-2.pdf> and “Honey Beekeeping” section http://www.gov.pe.ca/photos/original/af_begffguide.pdf
- ²⁸ City of Charlottetown. Nuisance Bylaw. <http://www.city.charlottetown.pe.ca/pdfs/bylaws/Oct2307NuisanceBylawamended.pdf>
- ²⁹ See Government of Newfoundland and Labrador, *Animal Health and Protection Act* Regulation 33/12 <http://www.assembly.nl.ca/Legislation/sr/Regulations/rc120033.htm> and http://www.nr.gov.nl.ca/nr/agrifoods/research/honeybee_import_regs_2013.pdf
- ³⁰ “Agriculture in the Residential zone will be limited to home gardens and similar activities that Council deems to be compatible with surrounding residential areas” (Town of Clarenville Development Regulations 2010-2020, section 14[1], Schedule C Residential [Res] Zone, <http://www.clarenville.net/upload/cms/files/Development%20Regulations.pdf>).
- ³¹ City of Johannesburg Metropolitan Municipality Public Health By-Laws, (Provincial Gazette Extraordinary No 179 dated 21 May 2004, Notice 830 of 2004). http://www.joburg.org.za/bylaws/health_by-laws.pdf
- ³² City of Chicago. Urban Agriculture FAQ - http://www.cityofchicago.org/city/en/depts/dcd/supp_info/urban_agriculturefaq.html
- ³³ See Honolulu Animals and Fowl ordinance - <https://www.honolulu.gov/rep/site/ocs/roh/ROHChapter7.pdf> and State of Hawaii *Act 200(11) Relating to Agriculture* - <http://hdoa.hawaii.gov/pi/files/2013/01/Act-200.pdf>
- ³⁴ Washington, D.C. *Sustainable Urban Agriculture Apiculture Act of 2012*. See Subtitle B. Promoting Urban Agriculture Through Beekeeping. <http://dcclims1.dccouncil.us/images/00001/20120613102537.pdf>
- ³⁵ State Government of Victoria. Department of Environment and Primary Industries. Beekeeping and the Livestock Disease Control Act 1994. <http://www.depi.vic.gov.au/agriculture-and-food/animal-health-and-welfare/animal-welfare/animal-welfare-legislation/livestock-management-legislation-and-regulations/beekeeping-and-the-livestock-disease-control-act-1994> See also Apiary Code of Practice - http://www.dtpli.vic.gov.au/_data/assets/pdf_file/0003/231519/Apiary-Code-of-Practice.pdf
- ³⁶ Sources - http://www.agr.gc.ca/eng/industry-markets-and-trade/statistics-and-market-information/by-product-sector/horticulture/horticulture-canadian-industry/sector-reports/statistical-overview-of-the-canadian-honey-industry-2013/?id=1411739633587#cn_1.1 and http://www.agf.gov.bc.ca/apiculture/factsheets/101_hist.htm