

## CHAPTER II. ANIMAL CONTROL

### ARTICLE 6. BEEKEEPING

#### SECTIONS

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- 2-601 Purpose.**  
The Governing Body of the City of Leawood finds that there is a need to regulate and set minimum standards for the keeping of bees within the corporate limits of the City to protect the public health, safety, and welfare of the residents of the City of Leawood. The keeping of bees within the City must comply with industry established best practices.  
(Ord. 3066; 09-20-21)
- 2-602 Keeping of Bees.**  
It shall be unlawful for any person to place, establish, or maintain any hive, stand, box, or apiary or to keep any bees in or upon any premises within the City unless kept in accordance with the provisions of this Article. For purposes of this Article, the term "beehive" shall include any hive, stand, box or apiary.  
(Ord. 3066; 09-20-21)
- 2-603 Regulations.**
- (a) Location: No beehive shall be placed or kept in violation of the requirements, including setback requirements, of the Leawood Development Ordinance, and in no event shall be located:
    - (1) closer than 50 feet to the property line of adjoining developed property;
    - (2) closer than 75 feet to any house or other building located on developed property other than the residence or lot on which the beehives are located;
    - (3) closer than 100 feet to the exterior line of the traveled portion of a public or private street, pedestrian path, or sidewalk;
    - (4) anywhere other than the rear yard of the property; or
    - (5) upon land not owned by the beekeeper.
  - (b) Height: No beehive shall exceed five (5) feet in height.
  - (c) Type: Beehives shall be of a Langstroth type [vertically modular with vertically hung frames, a bottom board with entrance for the bees, and an inner cover and top cap to provide weather protection]
  - (d) Condition: Beehives shall be kept in sound and usable condition.

- (e) Watering Facilities: Fresh, clean, watering facilities for the bees shall be provided within 25 feet of each hive, stand, box or apiary.
- (f) Barrier Required: Any owner of a beehive shall establish and maintain a flyway barrier of at least six (6) feet in height consisting of a solid hedge, wall, fence or combination thereof, as permitted by the Leawood Development Ordinance, that is parallel to the property line and extends 10 feet beyond the beehives in each direction so that all bees are forced to fly at an elevation of at least 6 feet above ground level over the property lines in the vicinity of the beehive.
- (g) Nuisance Prohibited: No beehive shall interfere with normal use and enjoyment of human or animal life or the normal use and enjoyment of any public or private property.

(Ord. 3066; 09-20-21)

**2-604 Subsequent Development of Adjacent Properties.**

Should adjacent property be later developed, or residential structures located closer than the distances herein prescribed, the keeper shall move such beehive(s) to comply with these regulations.

(Ord. 3066; 09-20-21)

**2-605 Multiple Number of Beehives.**

No more than two beehives shall be allowed on any residential property.

(Ord. 3066; 09-20-21)

**2-606 Beekeeping Permit.**

- (a) A Beekeeping Permit shall be required to place, establish, or maintain any hive, stand, box, or apiary or to keep any bees in or upon any premises within the City
- (b) Application For Beekeeping Permit; Fee; Investigation: The application shall be made on a form provided by the City and accompanied by a nonrefundable application fee as provided by ordinance or resolution or as otherwise permitted and shall be submitted to the City Clerk. The application shall: (1) include the name, address, and telephone number of the applicant/owner and (2) identify the number and type of beehives.
  - (1) Following application, the City Clerk, with the assistance of the Codes Enforcement Division, will attempt to notify via certified and regular mail all neighboring property owners, residents or businesses (hereinafter "neighbor" or "neighbors"), and the applicable homeowner's association, of the pending application. The neighbors, and owner(s) if applicable, may provide comments regarding the application to the City Clerk. Any comments submitted in writing are subject to the Kansas Open Records Act and cannot be kept confidential. For purposes of this section, "neighbors" shall include all properties abutting the applicant's property, without regard to public right-of-way or publicly owned open space.
  - (2) Submission of an application to the City shall be deemed to be the consent of the applicant to the right of entry and inspection of the premises sought to be permitted at all reasonable times with the applicant, or applicant's representative, present.
  - (3) The City Clerk, with the assistance from the Codes Enforcement Division, shall determine whether to approve, conditionally approve, or deny the

application. In approving or denying the application, the City Clerk may consider all relevant factors including, but not limited to, the following:

- i. Whether the applicant has complied with all regulations provided for in 2-601 et seq.;
- ii. whether the keeping of the bees may negatively affect the health, safety or welfare of the neighbors or the general public;
- iii. whether the keeping of the bees will likely create a nuisance or disturb the peace and quiet of the surrounding areas;
- iv. whether the keeping of bees as requested would violate any provisions of the City Code or the Leawood Development Ordinance;
- v. comments of the property owner(s) and/or neighbors; and
- vi. any prior complaints, charges, or convictions for nuisance or other animal or property maintenance related violations involving the applicant or owner of the property.

(c) Approval or Denial; Right to Appeal:

- (1) The City shall provide written notice of the City Clerk's decision to approve, conditionally approve, or deny the application to the applicant at the address provided on the application.
- (2) If approved, the beekeeping permit shall be issued for the specific beehive listed in the application and shall not be transferable to any other beehive, owner(s), or to any other address or premises.
- (3) If conditionally approved, the notice of conditional approval shall also identify the specific conditions the applicant must meet and/or maintain throughout the duration of the permit. Failure to meet and/or maintain any specified conditions shall be grounds for revocation of the permit.
- (4) If the beekeeping permit is denied, all existing bees must be removed from the property within seven (7) days from the date the notice of denial is mailed to the applicant by the City. This is a mandatory requirement that cannot be suspended by the filing of an appeal. The notice shall state the basis for the denial and the opportunity for review by the City Administrator or their designee. The determination of the City Administrator, or their designee, is final.
- (5) A period of six (6) months following the date of denial, or revocation as provided in subsection (e) below, must elapse before another application for the same owner or same location can be submitted. This six (6) month waiting period may be waived by the City Clerk if it is determined that a material change in circumstances has occurred.

(d) Duration and Renewal:

- (1) A beekeeping permit shall expire on December 31 of the calendar year in which it is issued. It may be administratively renewed by the City for the next calendar year so long as the following conditions are met:
  - i. The applicant has paid the nonrefundable renewal fee as provided by ordinance or resolution or as otherwise permitted.
  - ii. There has been no change to the hive since the issuance of the permit.

- (2) Failure to pay the renewal fee on or before December 31 of each year subjects the owner to late fees as provided by ordinance or resolution or as otherwise permitted and shall be sufficient grounds for revocation of the permit.
- (e) Revocation Of Beekeeping Permit: A beekeeping permit may be revoked at any time by the City upon a showing that the applicant, or any other person having custody or control over any of the beehive subject to the permit, has allowed a condition to exist that constitutes a nuisance or otherwise negatively affects the health, safety, or welfare of the neighbors or of the general public; or has failed to comply with any of the requirements of the permit or of this Code; or was involved in any activity prohibited by Federal, State or local law; or if it is determined that the applicant provided false or misleading information in the application. The City shall provide written notice of revocation to the applicant at their last known address via first class mail. The notice shall include the basis for the revocation, the effective date of the revocation, and the opportunity for review by the City Administrator.

(Ord. 3066; 09-20-21)

**2-607**

**Penalty.**

Any person convicted of violating any of the provisions of this Article shall, upon conviction thereof, be punished as provided in Leawood City Code 2-501.

(Ord. 3066; 09-20-21)