



## TOWN of GREENBURGH

Local Law No. /2017

A local law amending Chapter 285 of the Code of the Town of Greenburgh entitled “Zoning” pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Article 8 (SEQR).

**BE IT ENACTED** by the Town Board of the Town of Greenburgh:

- § 1. **Title.**
- § 2. **Legislative Findings and Intent.**
- § 3. **Amendment to § 285-10A(3)(h).**
- § 4. **Amendment to § 285-36.**
- § 5. **Supersession.**
- § 6. **Severability.**
- § 7. **Effective Date.**

**§ 1. Title.**

This law is entitled “A local law amending Chapter 285, of the Code of the Town of Greenburgh, entitled “Zoning”

**§ 2. Legislative Findings and Intent.**

The Town Board of the Town of Greenburgh finds it necessary to amend Chapter 285 of the Code of the Town of Greenburgh to remove the restriction against beekeeping, and permit such practice in a safe manner in the Town of Greenburgh.

**§ 3. Amendments to Section 285-10A(3)(h): R-40 One-Family Residence District.**

Section 285-10A(3)(h) of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in ~~strikeout~~; new text underlined):

A. Permitted uses.

(3) Accessory uses.

(h) On a lot containing a farm, the keeping of one horse or one cow per acre and a reasonable number of other farm animals, but excluding pigs, bees and fowl.

**§ 4. Amendments to Chapter 285-36: Supplementary use regulations.**

U. Beekeeping. The keeping of bees, upon registration through the Department of Community Development and Conservation, subject to the following:

(1) Beekeeping shall be limited to the keeping of Honey Bees on properties of at least 10,000 sq. ft., in the One-Family Residence Districts.

(2) Apiaries, which shall constitute a hive or hive-like structure having removable frames specifically designed, constructed and maintained for purposes of housing a Bee Colony, shall not be located less than twenty feet from any property line. All Bee Colonies shall be kept in appropriately sized, designed and maintained Apiaries which shall be kept and maintained at all time in sound and usable condition.

(3) Applicants must notify abutting property owners and the current resident at the abutting address, by U.S. Mail, at least one month prior to the registration process with the Department of Community Development and Conservation, notifying them of their intent to register, and maintain an apiary or apiaries. A copy of a standard notification will be provided by the Department of Community Development and Conservation. A list of mailings shall be submitted as part of the Town registration process.

(4) On lots 10,000 sq. ft. to 40,000 sq. ft. no more than two Apiaries shall be permitted. On lots greater than 40,000 sq. ft. no more than four Apiaries shall be permitted.

(5) It shall be the duty of every Beekeeper: (a) to be educated in and strictly adhere to best management practices; (b) to maintain Bees, Bee Colonies and Apiaries in a location and condition that will prevent diseases, and abandonment of the Apiary.

(6) All Apiaries shall be registered annually with the Department of Community Development on forms provided or approved by the Town; the purposes of such registration being to maintain a record of the number and location of each Apiary, to obtain the most current contact and credential/education information in connection with each Beekeeper and to obtain a certification from each Beekeeper acknowledging receipt of a copy of this Chapter and the most current rules and regulations that may be promulgated pursuant to this Chapter. A Beekeeper shall provide to the Department of Community Development and Conservation, any updates to the information contained in the annual registration within 10 days of any change, including but not limited to the abandonment or potential change in location of any Apiary.

**§ 5. Supersession:**

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

**§ 6. Severability:**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**§ 6. Effective Date:**

This law shall take effect immediately upon filing with the Secretary of State.