



CITY COUNCIL REGULAR MEETING AGENDA **Monday, October 27, 2025 at 7:00 PM**

15 East Franklin Street Bellbrook, Ohio 45305
T (937) 848-4666 | www.cityofbellbrook.org

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF THE MINUTES**
 - A. Approval of the October 13th, 2025 regular meeting minutes.
- 5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
 - A. Mayor Schweller will recognize City Volunteers
 - B. Recognition of Employee Service and introduction of newly hired and promoted employees
 - C. Mayor Schweller will present Mayoral Proclamations for the 45th Anniversary of Miami Valley Military Affairs Association, October 2025 as Domestic Violence Awareness Month, and 4th Grade Pee Wee Football and Cheer Team
- 6. CITIZEN COMMENTS**
- 7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS**
- 8. PUBLIC HEARING OF PROPOSED ORDINANCES**
- 9. INTRODUCTIONS OF ORDINANCES**
- 10. ADOPTION OF RESOLUTIONS**
 - A. Resolution 2025-R-18 AUTHORIZING AND RATIFYING TRANSFERS AND ADVANCES WITHIN VARIOUS FUNDS OF THE CITY OF BELLBROOK (Cyphers)
 - B. Resolution 2025-R-19 AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IJJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION (Greenwood)
- 11. OLD BUSINESS**
 - A. Review and Discussion for formal community survey for small livestock.
- 12. NEW BUSINESS**
- 13. CITY MANAGER'S REPORT**
- 14. COMMITTEE REPORTS**
 - A. Safety Committee
 - B. Service Committee
 - C. Finance/Audit Committee
 - D. Community Affairs Committee
- 15. CITY OFFICIAL COMMENTS**
- 16. EXECUTIVE SESSION**
- 17. ADJOURNMENT**

File Attachments for Item:

A. Approval of the October 13th, 2025 regular meeting minutes.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
October 13, 2025

Item A. Section 4, Item

1. CALL TO ORDER:

Mayor Schweller called the Regular Meeting of the Bellbrook City Council to order at 7:00pm

2. PLEDGE OF ALLEGIANCE:

Mayor Schweller led the Council in the Pledge of Allegiance.

3. ROLL CALL

PRESENT

Mr. Logan Ashley

Mrs. Katherine Cyphers

Mr. Forrest Greenwood

Mr. Brady Harding

Deputy Mayor Ernie Havens

Mr. T.J. Hoke

Mayor Mike Schweller

4. APPROVAL OF THE MINUTES

- A. Approval of the September 22, 2025, regular meeting minutes.
Minutes were approved as submitted.

5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

Mayor Schweller read a letter from Senator Kyle Koehler about the Museum anniversary.

6. CITIZEN COMMENTS

Joanne Mushala 2238 Bandit Trail, Beavercreek, spoke about the Library Levy

James Becker 3860 Polo Trace spoke about chickens

Jenn LeClaire 3408 Pavillion spoke about the Community Support Center having an event at Blueberry Cafe. She also noted early voting has begun.

7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

8. PUBLIC HEARING OF PROPOSED ORDINANCES

9. INTRODUCTIONS OF ORDINANCES

10. ADOPTION OF RESOLUTIONS

11. OLD BUSINESS

12. NEW BUSINESS

13. CITY MANAGER'S REPORT

Mr. Schommer gave an update on N Main / Little Sugarcreek traffic. Our Service Department installed rumble strips on Little Sugarcreek and will finish N Main as soon as the equipment arrives.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
October 13, 2025

Item A. Section 4, Item

Survey regarding small livestock is in progress with a consultant who is well versed in assuring it is validated.

Short term rental legislation is in development with legal assistance.

We are going to work with an outside firm to audit our IT practices as a proactive approach to preventing cyber attacks.

We will have 2 more “Get the Facts” meetings prior to the election to give residents a chance to get facts and ask questions. Mr. Schommer also explained how Bellbrook will use its portion the half mill that Greene County is rolling back to cities in 2026 for public safety and encouraged residents to reach out if they have questions or would like to discuss any of the upcoming issues.

Mr. Greenwood asked if there is an update on the school. There is not an update.

Mr. Schommer explained that we are sensitive to those affected by the government shutdown and said to contact us with utility bill hardship if needed.

Mrs. Cyphers asked the cost of the small livestock survey. It has not yet been calculated as it will depend on multiple factors. Council will see the survey at the October 27 meeting. Results should start coming in as soon as it is published. Mr. Schommer recommended keeping the survey open for 2 weeks but not more than 30 days.

Mr. Hoke said we can put up a sign at Spellbrook so residents know about the Get the Facts meetings.

14. COMMITTEE REPORTS

- A. Safety Committee – Mr. Ashley said Chief Bizzaro thanked everyone who came to the Fire Department open house and shared some upcoming activities they are doing with the schools. No updates from Police but shared that Officer Bennington is working with students to be the SRO for a day.
- B. Service Committee – Mr. Greenwood asked if the depth of the rumble strips can be adjusted. It can and will be to avoid unnecessary noise for nearby residents. Service Department is ready for snow.
- C. Finance/Audit Committee – No update
- D. Community Affairs Committee - No update

15. CITY OFFICIAL COMMENTS

Mr. Ashley – None

Mrs. Cyphers – Said she appreciates the work the Service Department has done on Little Sugarcreek with the rumble strips. She is anxious to see the results of the small livestock survey. She was prepared to make a motion tonight to vote on the Ordinance but will wait until we have survey results.

Mr. Greenwood – Said he is concerned about the direction the government is going in regard to property taxes and spoke in favor of first responders being funded.

Mr. Harding – None

Mr. Hoke - None

Mr. Havens – Told the story of what brought him and his wife to live in Bellbrook and it was because of the level of safety they felt with our police department. Encouraged voters to come out and support Issue 3 to maintain our level of safety.

Mayor Schweller- Encouraged everyone to vote. He attended the Fire Department open house. Thanked those in attendance and online viewers and Louie.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
October 13, 2025

Item A. Section 4, Item

16. EXECUTIVE SESSION

17. ADJOURNMENT

7:40

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Resolution 2025-R-18 AUTHORIZING AND RATIFYING TRANSFERS AND ADVANCES WITHIN VARIOUS FUNDS OF THE CITY OF BELLBROOK (Cyphers)

RECORD OF RESOLUTIONS

Item A. Section 10, Item

Resolution No. 2025-R-18

October 27, 2025

City of Bellbrook
State of Ohio

Resolution No. 2025-R-18

AUTHORIZING AND RATIFYING TRANSFERS AND ADVANCES WITHIN VARIOUS FUNDS OF THE CITY OF BELLBROOK

WHEREAS, the City of Bellbrook has adopted Ordinance 2024-O-14 establishing appropriations for the 2025 fiscal year; and

WHEREAS, the 2025 budget had adequate funds appropriated at the fund level to cover the cost of city operations; and

WHEREAS, intra-fund transfers and advances of previously appropriated funds were necessary for payroll and other appropriate operational expenses of the City in 2025.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. That the intra-fund transfers and/or advances necessary for the operations of the City of certain monies up to amounts not exceeding those shown for the purposes cited in Exhibit A are hereby authorized and ratified retroactively from January 1, 2025, and such authorization applies to any and all such transfers necessary and effected after January 1, 2025.

Section 2. That it is found and determined that all formal actions of the City Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of the State of Ohio.

Section 3. That this resolution shall take effect and be in force forthwith.

PASSED BY City Council this 27th day of October, 2025.

___ Yeas; ___ Nays.

AUTHENTICATION:

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

Resolution 2025-R-18**Exhibit A**

Amount	From Fund	To Fund	Purpose
\$9,000	100-15 Personnel	100-12 Personnel	Personnel Cost Adjustment
\$16,000	230-23 Personnel	100-12 Personnel	Personnel Cost Adjustment
\$500	230-23 Personnel	100-14 Personnel	Personnel Cost Adjustment
\$4000	230-23 Personnel	250-25 Personnel	Personnel Cost Adjustment
\$40,000	620-21 Personnel	620-12 Personnel	Personnel Cost Adjustment
\$10,000	300-25 Other	620-12 Personnel	Personnel Cost Adjustment
\$50,000	300-25 Other	100-12 Other	Other Costs Adjustment

File Attachments for Item:

B. Resolution 2025-R-19 AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION (Greenwood)

RECORD OF RESOLUTIONS

Item B. Section 10, Item

Resolution No. 2025-R-19

October 27, 2025

City of Bellbrook State of Ohio

Resolution No. 2025-R-19

AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL IIJA FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the Transportation Improvement Program (TIP); and

WHEREAS, the City of Bellbrook has committed to a timely project development schedule; and

WHEREAS, the City of Bellbrook will commit the necessary resources to support the estimated local cost portion of the projects and the following list of projects will be submitted to MVRPC, shown in order of the City of Bellbrook's priority as follows:

1. Little Sugarcreek Road Improvements – estimated local share \$1,140,744

WHEREAS, the City of Bellbrook requests the following exemptions from MVRPC's Complete Streets Policy for the proposed project funding allocations:

Exception Number 3 – Where the cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use; This exception being sought due to the construction of sidewalk width appropriate for use as a sidepath for bicycles would increase the construction cost of the project by more than 20% in a location where the legal speed and volume on the roadway is appropriate for a shared lane.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:

Section 1. The City Manager is authorized to transmit, submit and execute all necessary documents and processes for an application for transportation projects to MVRPC for Little Sugarcreek Road Improvements.

Section 2. The City Manager is hereby authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the application referred to herein, and provide any additional information sought by reviewing agencies during the time the application is under reviewed. The City Manager is further authorized to cause compliance with all reporting requirements required by the Miami Valley Regional Planning Commission (MVRPC) as required as part of the funding process.

Section 3. Upon application approval, the City hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by the MVRPC.

RECORD OF RESOLUTIONS

Item B. Section 10, Item

Resolution No. 2025-R-19

October 27, 2025

Section 4. That it is found and determined that all formal actions of the City Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of the State of Ohio.

Section 5. That this resolution shall take effect and be in force forthwith.

PASSED BY City Council this 27th day of October 2025.

___ Yeas; ___ Nays.

AUTHENTICATION:

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Review and Discussion for formal community survey for small livestock.

CHAPTER 618. ANIMALS¹

Sec. 618.01. Definitions.

For the purpose of this chapter, the following definitions shall apply:

Agricultural animal. The definition of agricultural animal is the same as set forth in Ohio Revised Code Section 903.01 (A), including but not limited to the following text: “any animal generally used for food or in the production of food, including cattle, sheep, goats, rabbits, poultry, and swine; horses; alpacas; llamas; and any other animal included by the director of agriculture by rule. “Agricultural animal” does not include fish or other aquatic animals regardless of whether they are raised at fish hatcheries, fish farms, or other facilities that raise aquatic animals.”

Animal. The definition of animal is the same as set forth in Ohio Revised Code Section 941.01 (D), including but not limited to the following text: “any animal that is a bird, reptile, amphibian, fish, or mammal, other than humans.”

Companion animal. The definition of companion animal is the same as set forth in Ohio Revised Code Section 959.131 (A)(1), including but not limited to the following text: “any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in section 956.01 of the Revised Code. “Companion animal” does not include livestock or any wild animal.”

Domestic animal. The definition of domestic animal is the same as set forth in Ohio Revised Code Section 941.01 (E), including but not limited to the following text: “livestock; other animals that through long association with humans have been bred to a degree resulting in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them different from nondomestic animals of their kind; and other animals as defined by rule by the director.”

Livestock. The definition of livestock is the same as set forth in Ohio Revised Code Section 5739.01 (MM), including but not limited to the following text: “farm animals commonly raised for food, food production, or other agricultural purposes, including, but not limited to, cattle, sheep, goats, swine, poultry, and captive deer. “Livestock” does not include invertebrates, amphibians, reptiles, domestic pets, animals for use in laboratories or for exhibition, or other animals not commonly raised for food or food production.”

Nondomestic animal. The definition of nondomestic animal is the same as set forth in Ohio Revised Code Section 941.01 (G), including but not limited to the following text: “any animal that is not domestic, including at least nonindigenous animals and animals usually not in captivity.”

Pet. The definition of pet is the same as set forth in Ohio Revised Code Section 961.01 (D), including but not limited to the following text: “an animal that has been adapted or tamed to live in intimate association with or for the pleasure or advantage of people and includes but is not limited to dogs, cats, birds, rabbits, and hamsters.” Pets are not considered to be animals used for livestock or agricultural purposes.

¹Cross reference(s)—Driving animals upon roadway, see Secs. 404.05; Animals in parks, see Secs. 1062.08, 1062.09.

Poultry. The definition of poultry is the same as set forth in Ohio Revised Code Section 941.01 (H), including but not limited to the following text: “any domesticated fowl kept in confinement, except for doves and pigeons, that are bred for the primary purpose of producing eggs or meat for human consumption. “Poultry” includes chickens, turkeys, waterfowl, and game birds.”

Service animal. The definition of service animal is the same as set forth in Ohio Revised Code Chapter 3344-79 Rule 3344-79-02 (A) (2), including but not limited to the following text: “any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability and meets the definition of “service animal” under the Americans with Disabilities Act (“ADA”) regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability.”

Small livestock. Small livestock is defined as rabbits and poultry species, excluding roosters, geese, swan, peafowl, turkeys, ostriches, and emu.

Secs. ~~618.01~~, 618.02. Reserved.

Editor’s note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.01, 618.02 which pertained to: dogs and other animals running at large; nuisance, dangerous and vicious dogs; hearings; abandoning animals; respectively; and derived from the 1985 Codified Ordinances.

Sec. 618.03—618.06. Reserved.

Sec. 618.07. ~~Barking or howling dogs~~ Nuisance animal noises.

- (a) No person shall keep or harbor any ~~dog~~ **animal** within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who allows any ~~dog~~ **animal** habitually to remain or be lodged or fed within any dwelling, building, yard or enclosure, which he or she occupies or owns, shall be considered to be harboring such ~~dog~~ **animal**.
- (b) No person shall be convicted under division (a) of this section unless the noises created by such ~~dog~~ **animal** ~~are~~ **is** heard or detected by at least one or more residents in the vicinity or a City police officer.
- (c) Whoever violates this section is guilty of a minor misdemeanor.

Secs. 618.08—618.11. Reserved.

Editor’s note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.08, 618.09, 618.095, 618.10, 618.11 which pertained to: registration of dogs required; hindering capture of unregistered dog; dogs required to wear tags; unlawful tags; rabies quarantine; respectively; and derived from the 1985 Codified Ordinances and Ord. Ord. 80-15, passed 10-13-80.

Sec. 618.12. Hunting prohibited.

- (a) The hunting of animals or fowl within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means, **except as provided in the Bellbrook Zoning Code**. However, nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

- (b) Whoever violates this section is guilty of a minor misdemeanor.

Sec. 618.13. Nuisance conditions prohibited.

- (a) No person shall harbor, keep or maintain an animal in such a manner as to be injurious to the health, comfort or property of individuals or the public.
- (b) No owner, keeper or harbinger of any dog or animal approved and/or licensed by the Ohio Department of Natural Resources shall fail at any time to do either of the following:
- (1) Keep the animal physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision or secure enclosure to prevent escape.
 - (2) Keep the animal under the reasonable control of some person.
- (c) Subject to division (a) of this section, and without in any way limiting the applicability thereof, any of the following acts committed in connection with the harboring, keeping or maintaining of an animal shall constitute maintenance of a public nuisance and is hereby prohibited:
- (1) Permitting offensive or obnoxious odors to be released and carried to the property of another; or
 - (2) Permitting **loud, offensive and regularly repeated barking, or howling or unreasonably loud and disturbing noises** by an **dog animal**.
- (d) Any violation of ORC Chapter 955 within six months of a previous violation thereof shall be a prima-facie violation of this section.
- (e) The Municipal Attorney may proceed by civil action in any court of record to obtain an abatement order under this section.
- (f) Whoever violates any of the provisions of this section is guilty of maintaining a public nuisance, a misdemeanor of the fourth degree. The penalty shall be as provided in ORC Chapter 2929. In addition to imposing the appropriate punishment the court shall order such nuisance to be abated.
- (Ord. 78-16, passed 4-24-78; Ord. 99-10, passed 8-9-99; Ord. No. 2014-6 , § 1, 9-8-2014; Ord. No. 2017-3 , § 1, 3-27-2017)

Sec. 618.14. Impounding and redemption.

A police officer or Animal Warden contracted with or hired by the Municipality, or any other person appointed by the Manager, may pick up and impound any dog, licensed or unlicensed, or any other animal found running at large on any street or on any public or private property within the Municipality. Such officer, Animal Warden or other person shall have the right to go onto private property to capture the dog or other animal. ~~The dog or other animal shall be released to the owner or to the person entitled to the possession of the same upon payment by the owner or such other person to the Municipality of a pick-up fee of ten dollars (\$10.00) for the first offense and twenty-five dollars (\$25.00) for each offense thereafter.~~ If the dog has been placed in the County Dog Pound, the owner shall **also** be required to pay charges assessed by the County.

(Ord. 78-17, passed 4-24-78)

Sec. 618.15. Certain animals prohibited.

- (a) No person shall keep within the Municipality any **horse, cow, pig, goat, or chicken** **agricultural animal or livestock, nor any animal used for agricultural or livestock purposes,** on any parcel

of property, except in agricultural zoning districts on parcels **with a minimum** of five acres **or as provided in the Bellbrook Zoning Code.**

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 2007-4, passed 8-27-07; Ord. 2010-7, passed 9-13-10)

Sec. 618.16. Dead animals.

(a) When any animal dies in the possession of any person in the Municipality, no such person shall fail to remove such animal or cause the same to be removed outside the limits of the Municipality or to be buried, so that the same does not corrupt the air or cause any injury to the health of any other person in the Municipality.

(b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 118, passed 2-19-36; Ord. 74-38, passed 11-11-74)

Secs. 618.17, 618.18. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.17, 618.18 which pertained to: dogs with blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog; animal fights; respectively; and derived from the 1985 Codified Ordinances.

Sec. 618.19. Dangerous, wild and undomesticated animals or pets prohibited.

(a) For the purposes of this section, a household pet is a dog, cat or other species of animal, fish, fowl, amphibian or reptile which is normally deemed to be tame and domesticated or which is commonly kept as a pet inside a residence.

(b) A wild, dangerous or undomesticated animal is an animal that is not defined as a household pet and that would be ordinarily confined to a zoo, farm or the wilderness, or that otherwise causes fear to the general public.

(c) No person shall harbor, maintain or control a wild, dangerous or undomesticated animal within the City.

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(Ord. 2007-4, passed 8-27-07)

Sec. 618.20. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed § 618.20, which pertained to dangerous and vicious dogs, and derived from the 1985 Codified Ordinances.

Sec. 618.21. Beekeeping.

The keeping of bees in residential areas is permitted under the following conditions:

(a) Definitions.

(1) *Bee* means any stage of any species of the genus *Apis*.

- (2) *Hive* means any modern frame hive, box hive, box, barrel, log gum, skep or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.
- (3) *Colony* means any hive and its equipment, including bees, combs and brood.
- (4) *Equipment* means any used hives or parts thereof, used frames, used honey houses, used tools, used machines, or used devices employed in the handling or manipulation of bees, honey, or beeswax, or any used container for honey or beeswax.
- (5) *Swarm* means a population of bees that is not permanently established.
- (6) *Beekeeper* means the person who takes care of and/or registers the apiary where the honey bee colonies are kept.
- (b) In order to have beekeeping privileges within the City, all beekeepers are required to maintain and register their hives as set forth in ORC Chapter 909 Apiaries.
- (c) All beekeepers are required to register with the City, setting forth the location of their hives and number of colonies of bees.
- (d) Any lot used for beekeeping must have a minimum size of 14,000 square feet. There shall be no more than two hives established on any lot used for beekeeping, except two additional temporary hives are allowed for hive separation or new swarm establishment purposes. Such temporary hives shall be removed from the property within two weeks.
- (e) Hives shall be placed in the rear yard of the property and in no case shall the hives be closer than 30 feet from a public or private street, sidewalk or roadway. In no case shall the hives be closer than 25 feet to an abutting property line.
- (f) A fresh water source shall be maintained within 15 feet of the hives.
- (g) The owner of the hive(s) must be a resident in a dwelling located on the same lot on which the hive(s) are registered. Hives are only permitted on lots with single family residential units located on them.
- (h) The maintenance of each colony shall meet the following conditions:
 - (1) Colonies shall be maintained in readily movable frame hives.
 - (2) Each hive must conspicuously display the Apiary Identification Number assigned pursuant to ORC Chapter 909 on no less than the base and the box. The identification number shall be on a side that is visible without moving or lifting of said hive.
 - (3) Adequate space shall be maintained in the hive to prevent overcrowding and swarming.
 - (4) Colonies shall be re-queened following any swarming or aggressive behavior or seized and destroyed without remuneration.
- (i) A certificate or permit providing the privilege to keep bees within the City may be provided by the City to a beekeeper once it is established that the necessary requirements outlined in this section are satisfied.
- (j) (1) Beekeeping privileges may be revoked from any property by written notification to the property owner by the City. Revocation must be done with cause, however, the cause needs not to be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. The City may revoke beekeeping privileges for any condition or combination of circumstances that jeopardizes, endangers or otherwise constitutes an actual, potential or perceived menace to public health or safety. Once beekeeping privileges have been revoked on a particular property, such privilege may be reestablished only upon written request. Additionally, a permit or certificate may be revoked by the City due to a failure to satisfy any of the requirements of this section.

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- (2) A perceived menace to public health may also include, but is not limited to:
- A. Written documentation over a medical doctor's signature certifying that the medical condition caused by bee stings to a resident of an abutting property would constitute a higher than normal health hazard will constitute sufficient cause to withdraw beekeeping privileges from any specific property.
 - B. Abnormally aggressive behavior by bees defending their hive beyond the property lines may constitute sufficient cause to withdraw beekeeping privileges from any specific property.
- (k) The City may revoke a beekeeper's privilege to maintain hives within the City by revoking the beekeeper's permit or certificate. If such revocation occurs, the permit holder will be given an opportunity for a hearing before the City Council to determine whether cause exists for revoking the beekeeping privileges.

(Ord. 2010-7, passed 9-13-10)