

- CAMBRIDGE -

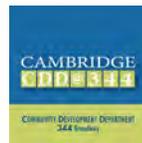
URBAN AGRICULTURE

A guide to beekeeping, community gardening & more in the city.

June 2019



Cambridge
Public Health
Department



ACKNOWLEDGMENTS

.....

CAMBRIDGE PUBLIC HEALTH DEPARTMENT

Claude A. Jacob
Chief Public Health Officer
Cambridge Health Alliance
City of Cambridge

COMMUNITY DEVELOPMENT DEPARTMENT

Iram Farooq
Assistant City Manager for
Community Development
City of Cambridge

.....

SPECIAL THANKS

To all the residents, farmers, beekeepers, henkeepers, and city staff who attended stakeholder meetings and focus groups.

.....

Kimberly French, Writer
Erin Bloom, Designer

CITY OF CAMBRIDGE URBAN AGRICULTURE TASK FORCE

A working group of the Cambridge Food and Fitness Policy Council

- Sandra Fairbank**, Designer and resident
- Jane Hirschi**, Executive Director, CitySprouts
- Sam Lipson**, Director of Environmental Health, Cambridge Public Health Department
- Jennifer Letourneau**, Director, Cambridge Conservation Commission
- Dawn B. Olcott**, Manager, Public Health Nutrition Services, Cambridge Public Health Department
- Josefine Wendel**, Director, Population Health Initiatives, Cambridge Public Health Department
- Daniel Wolf**, Neighborhood Planner, Community Planning, Community Development Department

.....

THANK YOU TO PAST MEMBERS

- Lawrence Barriner II**, Consultant, Community Member
- Chris Basler**, Community Development Department
- Stuart Dash**, Community Development Department
- Javier Gutierrez**, Mass in Motion
- Ellen Kokinda**, Community Development Department
- Jennifer Lawrence**, Community Development Department
- Kari Sasportas**, Cambridge Public Health Department

TABLE OF CONTENTS

Introduction	1
How to Keep Bees in Cambridge	3
Urban Agriculture in Cambridge: A Community That Loves Growing Its Own Food	14
Resources & Appendices	22

INTRODUCTION

.....



This Cambridge Guide to Urban Agriculture is a first version, which will be updated as new zoning amendments and health regulations are adopted. This version includes all you need to know about getting a permit for beekeeping and also features urban agriculture currently practiced in Cambridge.

As new regulations are put in place, this guide will keep you up to date on how to responsibly practice other kinds of urban agriculture in the city.

City dwellers throughout the world have always grown their own food. In the United States urban gardening surged during World War II, when Americans planted 12 million Victory Gardens in cities and 6 million on farms. But many were abandoned after the war. For much of the past 60 years, Americans have kept a sharp division between urban and rural, city and farm, consumers and growers.

Until recently, that is.

In the past couple decades, urban agriculture worldwide has exploded, along with urban populations. Today, 800 million people grow food in cities, producing an estimated 15% to 20% of the world's food supply and feeding a quarter of the world's urban population. North American cities are now catching on to the urban-ag renaissance that cities in

Europe, Asia, Africa, and Latin America have been experiencing for some time now.

Urban agriculture can take many forms:

- From an individual resident, family, or group of neighbors gardening on a rooftop, balcony, yard, or community plot;
- To keepers of bees, chickens, fish, rabbits, and other small city-friendly livestock;
- To commercial farmers who grow in greenhouses, hydroponic houses, shipping containers, "small plot intensives," and other creative spaces.

In 2013, the City of Cambridge formed a task force that asked community members if they wanted more agriculture in the city. They definitely

INTRODUCTION [Continued]

.....

did. Neighboring Somerville and Boston had adopted urban agriculture zoning revisions several years before. You can read the *Health Lens Analysis of Urban Agriculture Policy, Cambridge, Massachusetts*, to learn more about the conversations the task force and the Metropolitan Area Planning Council had with neighborhood residents, farmers, bee and hen keepers here: www.cambridgema.gov/CDD/Projects/Planning/urbanagriculturetaskforce

In December 2017, the Cambridge City Council approved its first urban-agriculture zoning amendment, specifically making beekeeping legal in the city. The Commissioner of Public Health developed beekeeping regulations and a permit process to protect the safety and health of all the city’s inhabitants: including the bees. This guide explains

the process and where you can find more information about beekeeping.

The Urban Agriculture Initiative encourages Cambridge residents to keep cultivating food in Cambridge. The work of the initiative is ongoing and is still looking for ways to bring more commercial farming, rooftop and vertical gardening, hen keeping, and other agricultural practices into the city. In the long term, the initiative seeks to:

- Expand economic opportunities in agriculture;
- Promote sustainability, community resiliency, and ecological stewardship;
- Give residents access to healthy, locally produced food;
- Keep the city safe and healthy for all;

- Increase public understanding of agriculture; and
- Prevent potential conflicts between agricultural and other urban land uses.

For more information on the Cambridge Urban Agriculture Initiative, visit: www.cambridgema.gov/CDD/Projects/Planning/urbanagriculturetaskforce.

.....



HOW TO KEEP BEES IN CAMBRIDGE



BEEKEEPING OVERVIEW



Urban beekeeping is on the rise, for many reasons.

Most important, honeybees produce delicious honey,

with delicate flavors from whatever's blooming—blueberries, black locust, spring fruit trees, summer wildflowers. Some connoisseurs compare the diversity in taste to that found in wines. Growing demand for local honey and wax also provides entrepreneurial opportunities for city dwellers.

Beehives in urban areas consistently produce more honey and also survive the winter at higher rates than hives in the nearby countryside, according to researchers in several cities, including Boston. As pollinator populations have declined worldwide, especially in North America and Europe, cities are

increasingly seen as sanctuaries for honeybees.

Bees are critical for pollinating the plants in our ecosystem—our gardens, wildlife habitat, and more than 100 fruit and vegetable crops grown in our country. About one-third of the U.S. diet comes from insect-pollinated plants, and honeybees are responsible for 80% of that pollination.

Plus, bee behavior is endlessly fascinating. Bees give us a close-up connection to the natural world. To do well, beekeeping requires a commitment to year-round care and constant learning, which is best done in the company of fellow beekeepers. The Middlesex County Beekeepers Association (www.middlesexbeekeepers.org) and the Massachusetts Beekeepers Association

(www.massbee.org) are great places to learn more.

Honeybees are busy, well-organized workers, and unlike yellow jackets and wasps, rarely sting. As more people keep bees in urban and suburban settings, there is potential for misunderstandings, but there is also an opportunity for better education, and conversations and cooperation among neighbors.

.....

LAWS & REGULATIONS

.....

In December 2017, the City of Cambridge passed a zoning amendment that allows beekeeping as a land use. At the same time, the city passed public health regulations for setting up and maintaining hives safely and requiring a permit to keep bees in the city.

If you've been keeping bees for a while and are just learning about the regulations, you are required to obtain a permit from the public health department.

We encourage Cambridge residents to practice urban agriculture, and the public health department welcomes your questions and wants to work with you to help you continue safely and responsibly.

These guidelines are a mix of local laws and best practices, based on advice from local beekeepers associations and state regulations.

ICON	WHO TO CONTACT?
	Contact the Cambridge Public Health Department if you have questions about getting a permit, how to set up hives on your property and care for your bees, how to come into compliance, or how to make a complaint about a neighbor's beehive. 617-665-3826 / beekeeping@challiance.org .
	Contact the Cambridge Inspectional Services Department if you have questions about where beehives are allowed in the city, the dimensions of your hives or retail honey sales. 617-349-6100 / www.cambridgema.gov/inspection/contactforms/inspectionalservices .
	Contact the Massachusetts Department of Agricultural Resources Apiary Program to request an inspection of your hives and equipment to ensure they are disease free, or to register your hives so you can get up-to-date information about threats to bees—both are free and voluntary. 617-626-1801 / bees@state.ma.us / www.mass.gov/apiary-program-honey-bees .
	The Cambridge Public Health Department has adopted as part of its regulation the Massachusetts Beekeepers Association Best Management Practices , which you can find here: www.massbee.org/useful-info/best-management-practices . See www.massbee.org for information about the association.

BEEKEEPING GUIDELINES

OBTAINING YOUR BEES

- Beekeepers clubs and associations will often order nucs and packages for members. They can also provide lists of reputable sellers and tips on buying hardy Northern, disease-free bees. See www.middlesexbeekeepers.org or www.massbee.org. ★
- Take a class and meet other beekeepers at a club or association. This is the best way to get started. Beekeeping is not easy to learn from books or Internet sources. ★
- To transport bees to or from your property, make sure hives are closed up at night. Secure the entrance with a screen, and strap hives down to avoid tipping. Avoid transporting hives at midday, especially in warm months. ★
- The Cambridge Public Health Department recommends registering your hive within 10 days of getting your bees, to help you stay up to date on emerging threats to bees and other notifications. Register using this Massachusetts Department of Agricultural Resources online form: www.mass.gov/forms/apiary-and-colony-registration-form. Registration is voluntary. 🏛️
- The Cambridge Public Health Department also recommends that you request a voluntary inspection from the Massachusetts Department of Agricultural Resources to certify that your bees and equipment are disease free. To request an inspection, use this online form: www.mass.gov/forms/mdar-apiary-inspection-request-form. 🏛️
- Beekeepers must comply with the Massachusetts Department of Agricultural Resources Apiary Program regulations, which can be found at www.mass.gov/eea/docs/agr/legal/regs/330-cmr-8-00.pdf. You may find more general information about the Apiary Program and frequently asked questions on this website: www.mass.gov/apiary-program-honey-bees. 🏛️

BEEKEEPING GUIDELINES *[Continued]*

PROVIDING A PLACE FOR YOUR BEES

- In order to keep bees in the city, you must obtain an annually renewable permit from the Cambridge Public Health Department at www.cambridgepublichealth.org/services/regulatory-activities/urban-agriculture/beekeeping/Beekeeping-Permit-Application-Cambridge-MA.pdf. +
- You are allowed to keep up to two beehives of the common domestic honeybee, *Apis mellifera*, per lot. +
- As a general guideline, two colonies need about one-quarter acre. Nucs (smaller bee colonies, usually five frames or less) and hives located on rooftops need less space. ★
- If you need to add an additional hive in order to rescue a swarm or divide a bee colony, contact the Cambridge Public Health Department at 617-665-3826. The department may grant you permission to keep up to two additional hives, for a maximum of four, for 20 days or less. +
- Beekeeping is allowed in all zones in the City of Cambridge. ☑
- The maximum volume of each hive is 20 cubic feet, for example, 5x2x2 feet. If you have an observation hive attached to a building, no more than 20 cubic feet of the hive can extend away from the exterior wall. ☑
- The maximum height of each hive is 6 feet, not including stands or other elevation. If you have any questions, please contact City Inspectional Services at 617-349-6100. ☑
- Raise hives at least 5 inches off the ground. Enclose the raised area to keep out pests, using standard industry methods such as rodent guards or hardware cloth. In the fall, rodents may seek warmth in your hives. Before installing rodent guards, check to make sure no rodents have already taken up residence inside. +
- All hives must be labeled with the owner's name and contact information. +
- Locate each hive at least 5 feet away from any property line. Hives may be closer if a solid fence or wall separates them from abutting property. +
- You may place your hive on a porch,

BEEKEEPING GUIDELINES *[Continued]*

balcony, deck, or rooftop, as long as it meets all other public health requirements regarding placement. An elevated hive must be kept at least 6 feet from any edge, unless there is a protective barrier such as a railing, fence, or wall. +

- Face your hives away from any doors or access points, unless you have installed a flyway barrier. If used, barriers must be placed within 3 feet of the hive entrance, extend at least 1 foot higher than the beehive, and at least 2 feet on either side of the beehive. +
- Place a weight, such as a concrete paver, on the hive to prevent blowing over, especially if it is elevated. ★
- Movable frame hives, called Langstroth hives, with adequate

space will help prevent overcrowding and swarming. Some beekeepers prefer top-bar hives. ★

- Avoid placing your hives in low-lying areas that can trap moisture. ★

MANAGING FLYWAYS

- You must place the hive entrance so that the bees' flyway (the route they take to and from the hive) does not face any of the following:
 - + Entry doors, windows that can open, decks, porches, balconies, or other outdoor living spaces within 10 feet of the hive;
 - + The access point to a shared porch, balcony, or rooftop, within 5 feet of your hive;
 - + Another housing unit on the

same lot, unless the occupant gives permission; and

+ A public street, park, school grounds, walkway, or bikeway within 10 feet of the hive. +

- A beehive flyway barrier—such as a solid fence, wall, or thick hedges or shrubs—may be used to direct bees to fly upward as they exit the hive before dispersing. Such barriers must be placed within 3 feet of the hive entrance, extend at least 1 foot higher than the beehive, and at least 2 feet on either side of the beehive. +
- Place a sign announcing a beehive is present, if your hive is within 10 feet of a public street, park, school grounds, walkway, or bikeway. The sign should be easy to read from the public way. ☑

BEEKEEPING GUIDELINES *[Continued]*

- If your hive is on a shared porch, balcony, or rooftop, place a sign at the entrance to the area.
- If possible, after you've taken all these surroundings and requirements into consideration, try to locate hives facing east or south so the sunrise warms them in the morning. Avoid facing hives north to protect from winter weather, and avoid anyplace where the hives are in shade for most of the day. ★

CARING FOR YOUR BEES

- Refresh water for your bees daily to prevent stagnation and mosquito breeding. +
- Make sure your bees always have

access to water on your property, including on the roof or balcony, especially in hot weather. Bees need large amounts of water to control temperature and humidity within the hive. They prefer getting their water in sunny places with surface moisture, such as wet sand or gravel or the edge of a birdbath. Provide access to water on your own property to prevent your bees from congregating around pools, drinking fountains, hot tubs, or other water on neighboring properties. ★

- Cultivate constantly blooming flowers on your own property to provide nectar for your bees and keep them close to home. ★
- When removing honey supers for extraction, cover frames with a towel or heavy cloth to prevent robbing

behavior. Do not extract honey outside or anywhere accessible to bees. ★

- You will need to check your hives periodically, depending on the time of year and conditions. Open the hive as quickly as possible, with minimal disturbance to the bees. Warm, sunny days with little wind are best. Be mindful of your neighbors' activities in choosing a time to check your bees. ★
- Avoid mixing hive equipment or using second-hand equipment, especially boxes, frames, and combs. The risk of disease far outweighs any cost savings. ★
- If your bees seem unusually defensive—stinging without provocation—check for evidence of skunks and lay down chicken wire in

BEEKEEPING GUIDELINES *[Continued]*

front of the hive entrance. ★

- Avoid using any pesticides around your hives, especially neonicotinoid pesticides, which are associated with harm to bees and are persistent environmental pollutants. If you must use a pesticide, check the label carefully for safety around bees. ★
- Educate yourself about honeybee diseases and pests—such as parasitic Varroa mites, Nosema, and American foulbrood (AFB)—so that you can identify their signs. You can find more information on the U.S. Department of Agriculture website, www.ars.usda.gov/is/np/honeybeediseases/honeybeediseases.pdf. ★
- The Cambridge Public Health Department recommends that you request a voluntary inspection from

the Massachusetts Department of Agricultural Resources to certify that your bees and equipment are disease free, using this online form: www.mass.gov/forms/mdar-apiary-inspection-request-form. 🏛️

- The Cambridge Public Health Department also recommends registering your hive within 10 days of getting your bees to help you stay up-to-date on emerging threats to bees and other notifications. Use this Massachusetts Department of Agricultural Resources online form: www.mass.gov/forms/apiary-and-colony-registration-form. Registration is voluntary. 🏛️

MANAGING PESTS

- Promptly clean and put away any materials you use for beekeeping or honey, which may attract pests or honey-robbing behavior by other bees. +
- Clean any spilled honey or syrup immediately, and do not leave out in exposed containers. +
- Raise beehives at least 5 inches off the ground. Enclose the raised area to keep out pests, using standard industry methods such as purchased rodent guards or hardware cloth. In the fall, rodents may seek warmth in your hives. Before installing rodent guards, check to make sure no rodents have already taken up residence inside. +

BEEKEEPING GUIDELINES *[Continued]*

- Monitor your hives regularly for Varroa mites and take preventive actions. If you discover a Varroa mite infestation, treat it promptly. You can learn more about Varroa mite prevention and treatment at the Honeybee Health Coalition website, www.honeybeehealthcoalition.org/varroa. 
- The Cambridge Public Health Department recommends that you regularly request a free voluntary inspection from the Massachusetts Department of Agricultural Resources to certify that your bees and equipment are disease and pest free, using this online form: www.mass.gov/forms/mdar-apiary-inspection-request-form. 

OBTAINING A VARIANCE

- If you have a lot configuration or existing hives that do not comply with the new regulation, you may request a public hearing for a variance when you apply for your permit. The Cambridge Public Health Department encourages residents to practice urban agriculture and wants to work with you to help you continue safely and responsibly. For questions, call 617-665-3826. 

SELLING HONEY

- You do not need a permit to sell unprocessed raw honey. 
- Selling processed honey products—honey that is filtered or extracted

by heat, or foods with honey as an ingredient—requires a retail food handler permit from the Cambridge Inspectional Service Department. Contact 617-349-6100 or go to www.cambridgema.gov/inspection/contactforms/inspectionalservices. 

BEING A GOOD NEIGHBOR

- The Cambridge Public Health Department recommends talking to your neighbors when you're first thinking about keeping bees. Listen to their concerns, and try to resolve issues yourself. Show them your plan, and demonstrate that you will be a responsible beekeeper. 
- Be aware of your neighbors' activities in choosing a time to open your hives

BEEKEEPING GUIDELINES [Continued]

to check your bees. Open the hive quickly, and disturb the bees as little as possible. Warm, sunny days with little wind are best. ★

- Tell your neighbors about normal bee behavior they may notice, and explain that in almost all circumstances honeybees have docile temperaments. For example:

Orientation flights. In warm weather, new forager bees come out of their hive for an orientation flight, to get their bearings before they go out to gather nectar. A hundred bees at a time may fly within 30 feet around the hive for 10 minutes or so. This is natural to all hives and no cause for alarm.

Bearding. If the hive gets too hot, especially in summer, the bees may congregate in a big bunch at the entrance, which looks like a beard. This is a natural way for the bees to cool off the interior.

Swarming. In the spring, the queen bee may leave the hive with half or more of the worker bees to start a new colony. While the scout bees are searching for a spot to relocate, thousands of bees may cling together in a large football-size clump close to their original hive and alight on trees or other structures.

This may look alarming, but it is normal, nonthreatening behavior and a sign that the hive is strong. The bees are generally very focused on their

task and not aggressive unless provoked.

If your bees form a swarm on neighboring property, ask permission of the owner or manager before collecting the swarm. The Middlesex Beekeeping Association can help gather a swarm. Contact: www.middlesexbeekeepers.org/bee-removal-service. ★

.....





GETTING A PERMIT

APPLICATION

Once you have your plans, apply for an annual beekeeping permit here:

www.cambridgepublichealth.org/services/regulatory-activities/urban-agriculture/beekeeping/Beekeeping-Permit-Application-Cambridge-MA.pdf

PAYMENT

When your application is complete, submit it with a payment of **\$50** by cash or check to:

Cambridge Public Health Department
119 Windsor Street
Cambridge, MA 02139
Voice: 617-665-3826
Fax: 617-665-3888

THEN WHAT?

The public health department will send a notice of your permit hearing date by certified letter to you and to all neighbors within 300 feet. It's a good idea to call or talk to them first. The applicant and neighbors may attend the permit hearing.

During the review of your application, the public health department will inspect your property. There will also be one annual routine inspection and others as needed following complaints, violations, changes, or any other safety or health concerns.

NO TRANSFERS

Once you receive a permit, you may not transfer it to anyone else.

If the property is sold or transferred, or the beekeeping plans are changed in any way, notify the public health department in writing. A new permit must be issued.

RENEWAL

Permits expire on **October 15** of each year. Submit a renewal application with a **\$25 fee by September 15**.



**A COMMUNITY THAT LOVES
GROWING ITS OWN FOOD**

.....

Food has always been grown all over the City of Cambridge—even though it is the 26th most densely populated city in the country, with more than 16,000 people per square mile.

Every public elementary and middle school in the city has a teaching garden for growing vegetables, flowers, and herbs.

Residents grow food and flowers on 14 community garden plots in every corner of the city.

There is even a collective permaculture farm in East Cambridge called Hurley Street Farm (pictured), where everyone is welcome to work and share in the food produced.

And of course, individual households—whether families whose love of gardening goes back generations and who have never missed a season, or immigrants bringing growing skills from their home countries, or young people learning to garden for their first time—have always grown food in backyards and front borders; climbing up fences; or in containers or beds on balconies and rooftops.



COMMUNITY STORIES: Cambridge Community Gardens

For nearly half a century, hundreds of neighbors throughout Cambridge have



cultivated their own tomatoes, lettuces, roses, zinnias, basil, parsley, and all kinds of other plants in community garden plots.

Today 550 residents tend plots in 14 community gardens in the city, managed under the Department of Public Works.

The gardens are just as diverse in style, size, and structure as the city itself, and they have put down their roots in every part of Cambridge. A few examples:

Next to Fresh Pond, residents of Neville Manor nursing home can look out their windows or walk among the 10-by-10-foot

raised beds of Maher Park Garden, which was built on a former gravel yard. When one gardener could no longer bend down to her plot, the city raised her bed to waist level.

“Community gardeners just have a level of such kindness.”

More perennials than edibles fill Cambridge’s oldest community garden on Sacramento Street, which started in 1975 near Harvard Square. Many of the gardeners there have tended their plots for years or decades. “Having a garden plot to look forward to and tend year to year is an inspiration and motivator for gardeners young and old,” observes Jen Letourneau, Director, Conservation Commission, who manages the community garden program for the city.

Neighbors share everything, rather than keeping individual plots, at the small communal Emily Garden in Cambridgeport. Gardeners take turns with the work, rather than being tied down by daily watering, weeding, and harvesting.

When neighbors were having trouble getting to the top of the waiting list for the Costa Lopez Taylor Garden in East Cambridge, the community gardeners already there invited them to join in, by making space for extra pots of tomatoes and other container vegetables.

Waiting lists used to be more than two years, but with new plots being added, the wait is only about a year now, Letourneau says. Members at each of the 14 gardens decide on their own rules, but there are a few general guidelines. The city provides free unmetered water. Herbicides and pesticides are not permitted. Low-nitrogen

Community Gardens

high-phosphorous fertilizers may be used but not left on site.

Gardens are left unlocked so all the city's residents can enjoy the lush plantings. One of the most important rules: Only pick what you plant.

Letourneau still remembers when her own daughter was a toddler, a community gardener offered her a little tomato to try. "It was her first tomato, and to this day she loves them. I love the image of my daughter sitting in the dirt, seeing it, smelling it, and then tasting it. Community gardeners just have a level of such kindness."

To sign up for a garden space, click on "Submit an application" here: www.cambridgema.gov/iwantto/applyforacommunitygardenplot.

.....



COMMUNITY STORIES: CitySprouts

Every child should have a garden to learn from and play in. That's why every public elementary and middle



school in Cambridge has its own garden for children.

Some are small courtyard plots.

One is a roof garden. Others

are large, fenced-in

gardens with sheds stuffed

with garden tools, raised beds, hoop houses, and colorful murals. At one garden, a little sign reads, "The hum of bees is the voice of the garden."

In 2001, parents, teachers, and the principal started the first garden at the Haggerty School. They wanted children to learn hands-on where their food comes from and about their natural environment. Some children had never dug in the dirt or

seen roots before. Some had never realized a seed can grow into a vegetable you can eat.

Today Cambridge is a leader in a nationwide garden-education movement, thanks to CitySprouts, a nonprofit that provides garden educators for both Cambridge and Boston public schools. In 2015, director Jane Hirschi published *Ripe for Change: Garden-Based Learning in Schools* about this educational model.

Each school has a part-time garden educator who works with teachers on how to take their curricula out into the garden. Science students can observe and record the entire life cycle of a plant. Geography students map where foods come from, then make dishes like eggplant tacos, Ethiopian collards, their own creative pizzas, and a big favorite, vegetable sushi. Art students come to the garden to sketch

and paint. English students learn new vocabulary.

In the spring, parents join students for afternoon garden parties, with lemonade and vegetable snacks. Guests can pick a sample to try from the garden or even do a little gardening.

“My goal was to make new friends and learn [how to make] one full meal. Both were accomplished.”

Middle schoolers can join an after-school club or a six-week intensive gardening program in July and August. Summer campers take care of the gardens, harvest and cook their own lunches, learn about science, climate and food justice, while earning a stipend. More than 80% of kids

CitySprouts

in the program report they tried a new vegetable, liked it, and cooked it at home for their families.

When asked what kids should know about climate change, one garden student replied this way: "Almost everyone loves chocolate or chili sauce...Well, it's a problem then, because due to climate change, the areas growing the food will be affected by things like rising sea levels." Another student reported on the program: "My goal was to make new friends and learn [how to make] one full meal. Both were accomplished."

To learn more about CitySprouts, go to www.citysprouts.org. To apply for the summer youth program, go to www.citysprouts.org/middle-school-logistics or contact middleschoolprogram@citysprouts.org or 617-876-2436.

.....



COMMUNITY STORIES: Hurley Street Farm

Hurley Street Farm is not a big farm, just 3,000 square feet. But it has had

a big impact on East

Cambridge since

its start in spring

2017 by the

sustainability

organization

Green Cambridge.

Each six-month

growing season, more

than 100 neighbors work

at the farm. Everyone who comes can take tomatoes, lettuce, berries, squash, whatever is growing at the time. “You weed. You feed,” as one member says.

Unlike a community garden plot managed by one household, Hurley Street Farm operates as a collective. With a \$100,000 operating budget raised by donations of all sizes, a core group of volunteers decides what, where, and how the farm grows food.



Then a crew of five to seven drops in for three weekly work sessions to prepare beds, plant, landscape, water, weed, harvest, and do all the other necessary tasks to bring the farm to life.

“Our goal is to build climate resilience by building community connections & showing what’s possible with our land and the resources we have right here.”

Visitors enter the farm through the breezeway of a purple house at 213 Hurley Street, then walk under a 100-year-old grapevine. Twenty years ago, the owners built the house right on the sidewalk to avoid disturbing those heirloom Concord grapes.

A picnic table for snacks and workshops, a kit greenhouse for seedlings in a back corner, and raised beds of imported dirt laid out at angles all invite meandering.

“The first thing we did was determine where to get water, which was a challenge with the house at the front of the lot,” says Steven Nutter, executive director of Green Cambridge. Rainwater is collected by gutters from the house roof, then cleverly directed through slightly downward sloping white pipes along the fence line, to tanks that hold 1,200 gallons at the back of the property. From there, the water can be slowly released down a gentle slope during dry summer months till it’s sucked up by swales filled with tree prunings back near the house.

“A farm with a lot of houses on it” is how Nutter likes to think of his adopted city. “Cambridge gets 200 days of sunshine

Hurley Street Farm

each year, 49 inches of rain, and has 4,500 acres of space. How can we use those things to feed ourselves and have better relationships with our natural systems? Our goal is to build climate resilience by building community connections and showing what's possible with our land and the resources we have right here."

To learn more, go to www.greencambridge.org/hurley-street-farm. To find out what's happening at the farm right now, go to www.facebook.com/GreenCambridge. Visitors are welcome during scheduled work hours or by appointment: 617-453-8364.

.....



RESOURCES & APPENDICES

RESOURCES

www.middlesexbeekeepers.org

www.massbee.org

www.massbee.org/wp-content/uploads/2017/03/bee-bmps.pdf

www.mass.gov/eea/docs/agr/legal/regs/330-cmr-8-00.pdf

www.abfnet.org

www.beeculture.com

APPENDICES

- Beekeeping Permit Application
- Beekeeping FAQ
- Beekeeping Regulations



CAMBRIDGE BEEKEEPING PERMIT APPLICATION

Application Date: ____/____/____

Applicant/Beekeeper Full Legal Name: _____
(First) (Middle) (Last)

Street Address and Phone:

(Address Line 1)

(Address Line 2)

(City) (State) (Zip) (_____) ____ - ____
(Phone - Check One: Home Cell)

Emergency Contact # (if different from home/cell): (_____) ____ - ____

Applicant/Beekeeper Email Address: _____

Location of the property where bees will be kept (if different from address above):

(Address Line 1)

(Address Line 2)

(City) (State) (Zip)

Applicant/Beekeeper is a (choose one):

- Home/Condo Owner
- Renter
- Business/Other: Specify Business/Other Name: _____

Applicant/Beekeeper (choose one):

- Will be the individual taking care of the beehive(s)
- Has hired a business/individual to take care of the beehive(s)

Name(s) of the business/individual: _____

Business/Individual's Street Address and Phone:

(Address Line 1)

(Address Line 2)

(City) (State) (Zip) (_____) ____ - ____
(Phone - Check One: Business Cell)

Business/Individual's Email Address: _____



TO BE FILLED OUT BY THE PROPERTY OWNER(S)

This property is owned by (check one of the following)	Print name(s) of Property Owner(s) or legal designees (as indicated) in appropriate box below.	Property owner(s) must provide consent for the applicant to keep beehive(s) on their property. By providing a signature(s) below, property owner(s) consent to allow up to 2 permitted beehives on their property.
<input type="checkbox"/> An individual	Property Owner Name:	Signature:
<input type="checkbox"/> More than one individual, or a partnership	Property Owners' Names:	Signature(s):
<input type="checkbox"/> A corporation or LLC	Officer(s) Authorized by the Corporation Name(s):	Signature(s):
<input type="checkbox"/> A trust	Authorized Trustee Name:	Signature:

If the property is owned by a corporation, partnership, trust, or other combination of individuals, please attach name(s) and contact information for *all* owners, officers or trustees. Attach additional sheets of paper as needed.

Property Owner's Full Legal Name: _____
(First) (Middle) (Last)

Property Owner's Home Street Address and Phone:

(Address Line 1)

(Address Line 2)

(City) (State) (Zip) (_____) _____ - _____
(Phone - Check One: Home Cell)

Property Owner's Emergency Contact # (if different from home/cell): (_____) _____ - _____

Property Owner's Email Address: _____

TO BE FILLED OUT BY THE BEEKEEPER
NOTE RELEVANT SECTIONS OF THE REGULATION IN PARENTHESIS

Please provide a narrative description of the beehive(s)' construction, including measures taken to exclude pests (e.g. mouse guard). Attach additional sheets of paper as needed (see regulation Section 8.e.).

Please provide a detailed site sketch (to scale). The sketch may be hand-drawn or electronic, but must depict the following elements:

- Number of beehives (limit is 2 per regulation Section 5.a.i.)
- Proposed location of each beehive (see regulation Section 5.c.)
- Dimensions (length, width, height) of each beehive in inches (see regulation Section 8.b.i.)
- Clearly marked entrance/exit on beehive(s) (see regulation Section 8.c.)
- The height in inches the beehive(s) are off the ground (must be at least 5 inches off the ground). Note that beehive(s) located on a porch, balcony, or rooftop must be set back at least 6 feet from the parapet, or closer if a protective barrier is present (see regulation Section 5.a.ii.)
- Location and relative dimensions of other structures or landscaping on the lot (e.g., fences, shrubs, porches/decks, balconies, etc.) (see regulation Section 8.c.)
- Location and dimensions of beehive(s) flyway barrier, if applicable (see regulation Sections 5.b. and 8.c.)
- Beehive(s) structure design, including flight area and beehive(s) flyway (see regulation Section 8.c.)
- Location of water source (see regulation Section 5.a.ii.)

I AGREE TO NOTIFY THE CAMBRIDGE PUBLIC HEALTH DEPARTMENT OF ANY CHANGE OF NAME, ADDRESS, OR OWNERSHIP. I HAVE RECEIVED, READ AND AGREE TO ABIDE BY THE CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES. **I GUARANTEE NOT TO ABANDON ANY PERMITTED BEEHIVE. IF NECESSARY, I WILL ARRANGE FOR TRANSFER OF OWNERSHIP OF PERMITTED BEEHIVE(S) TO ANOTHER BEEKEEPER OR SANCTUARY IF I MOVE OR CAN NO LONGER KEEP MY BEES FOR ANY REASON.**

I CERTIFY UNDER THE PENALTIES OF PERJURY THAT ALL INFORMATION CONTAINED IN THE APPLICATION IS TRUE AND CORRECT. ANY MISSTATEMENTS IN THIS APPLICATION ARE GROUNDS FOR REFUSING TO ISSUE OR FOR REVOCATION OF ANY LICENSE OR PERMIT ISSUED.

Signature of Applicant/Beekeeper

Date

Signature of Beekeeper if different from Applicant

Date

Send completed application and check or money order made payable to the Cambridge Public Health Commission for \$50.00 to:

**Beekeeping Permitting Program
Cambridge Public Health Department
119 Windsor Street, Ground Level
Cambridge, MA 02139**

Please contact beekeeping@challiance.org or call 617-665-3826, if you have questions.

After the Cambridge Public Health Department (CPHD) receives a completed application packet, we will begin the review process. Per Section 11 of the Cambridge Public Health Department Regulation for the Keeping of Honey Bees, the Department will mail written notification of a public hearing date via certified letter to the permit applicant, the property owner where the beehive(s) will be located (if the property owner is not the applicant), abutting property owners, and the permit applicant's immediate neighbors (if the beehive(s) will be located on the premises of a multi-unit dwelling).

During the review process, the CPHD will inspect the property where the proposed beehive(s) will be kept, for consistency with specifications per Section 5 of the Cambridge Public Health Department Regulation for the Keeping of Honey Bees.



Keeping of Honeybees Regulation

Frequently Asked Questions

Last revised: September 14, 2018

Q: I would like to keep bees in the City of Cambridge. Where do I go to apply for a permit?

You must apply for a permit to keep bees from the Cambridge Public Health Department (CPHD). Visit CPHD's website at <http://www.cambridgepublichealth.org//services/regulatory-activities/urban-agriculture/beekeeping/index.php>. On this landing page there are links you can click on to download a permit application and a copy of the Cambridge Public Health Department Regulation for the Keeping of Honey Bees. If you have questions about the application process or need assistance filling out your application, you may reach us at beekeeping@challiance.org.

Q: I've heard the terms "ordinance" and "regulation" used interchangeably in reference to beekeeping in Cambridge. Is there a difference, and what should beekeepers know?

Yes, these two terms have different meanings and practical implications. An ordinance is a law enacted by elected officials in municipal government. In the City of Cambridge, ordinances, such as the zoning ordinance, are enacted and amended by the City Council.

In contrast, a regulation is a set of rules or standards that are legally enforceable, promulgated by an administrative agency or Commissioner that derives authority from state general laws or statutes. In the City of Cambridge, the Commissioner of Health has the legal authority, derived from Massachusetts General Laws c.111 §26A and §31, to promulgate regulations that set standards for the protection of public health and safety. The Cambridge Public Health Department works on behalf of the Commissioner of Health to implement and enforce such public health regulations.

In practical terms, here is what this means for beekeepers: The Cambridge City Council amended the city's zoning ordinance in December 2017 to designate beekeeping as an allowable land-use, subject to land-use standards that are enforceable by zoning officials at the Cambridge Inspectional Services Department (ISD). As a complement to the City's zoning ordinance, the Commissioner of Health for the City of Cambridge promulgated a beekeeping regulation in December 2017, which sets forth a permit requirement for



beekeeping in Cambridge and standards for site maintenance to protect human health and safety.

Therefore, to keep bees in Cambridge, beekeepers must apply directly to the Cambridge Public Health Department for a permit. Any questions or concerns regarding permitting, human health, safety, inspections, site conditions, sanitation, and maintenance should be directed to the Cambridge Public Health Department, which enforces the beekeeping regulation and issues permits for beekeeping.

Concerns strictly related to zoning (i.e., land use) should be directed to the Cambridge Inspectional Services Department (ISD), which enforces the city's zoning ordinance. More information about zoning is located on ISD's website:

<http://www.cambridgema.gov/inspection/Zoning>.

A copy of the Cambridge zoning ordinance amendment for beekeeping may be found on the city's website:

http://www.cambridgema.gov/~media/Files/CDD/ZoningDevel/Amendments/Ordinances/zngamend_1400_beekeeping.pdf?la=en.

Q: After I submit an application to the Cambridge Public Health Department (CPHD) for a beekeeping permit, what are the next steps?

Once CPHD receives a complete application packet, we will begin reviewing the paperwork. CPHD staff may have questions for the applicant or ask for clarifications about material submitted, so there will be communication back and forth with the applicant until all paperwork is final. The applicant is responsible for speaking with their neighbors and letting them know that they applied for a permit.

The regulation requires that CPHD provide formal written notification of a public hearing to review the permit application. CPHD will mail out the notifications via certified mail, return receipt, with an assigned date for the public hearing. These notifications will be sent to the applicant, the abutting property owners, and any neighbors living in another unit at the same property as the applicant. During the notification process, CPHD staff will conduct one or more initial inspections of the proposed site where the beehive(s) will be located.

Q: What will the Cambridge Public Health Department look for during inspections? How often are inspections conducted?

The role of the Cambridge Public Health Department is to help beekeepers maintain conditions and operations at the site where beehive(s) are located so that the health of the general public (i.e., human health) is not at risk.

Permit applicants can expect one or more initial site inspections after CPHD reviews your permit application. During the site visit, a health inspector from CPHD will compare the written information and visuals you provided in your permit application with observations of actual conditions on the property, and confirm that these conditions are consistent with the standards outlined in the regulation. After you receive a permit, there are no further inspections of your site unless CPHD receives a complaint.

Please note that the health of the bees is not under the jurisdiction of the Cambridge Public Health Department. The Massachusetts Department of Agricultural Resources (MDAR) has a Chief Apiary Inspector and offers a voluntary inspection program to address the health of bees. The Cambridge Public Health Department strongly recommends that beekeepers avail themselves of this voluntary program and register their hives with the State Apiary Program. More information can be found on MDAR's website: <https://www.mass.gov/apiary-program-honey-bees>.

Q: What should an applicant expect at a public hearing?

Per the regulation, Section 12, the Commissioner of Health for the City of Cambridge has delegated the authority to make permit decisions to a panel of three hearing officers from CPHD. The panel will convene the public hearing. At this hearing, the permit application materials will be reviewed, with an opportunity for the applicant and the panel to exchange information. A CPHD inspector will present observations from the site visit(s), and answer any questions from the panel.

Neighbors and abutters will be provided with an opportunity to be heard, should they wish to raise any questions or have comments. Public comments may be sent in advance of the hearing to beekeeping@challiance.org for consideration. Following the presentations, the panel will make a decision on the permit application. Should the panel require more information or need more time to come to consensus, a decision may be delayed until a later hearing date.



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

WHEREAS, honey bees are a critical part of flowering plant pollination and reproduction, and a necessary element in pollination of crops that make up a healthy food supply; and

WHEREAS, the Cambridge Public Health Department seeks to promote the creation of urban agriculture initiatives to support local access to healthy food; and

WHEREAS, keeping domestic honey bees is a means of promoting local honey production and local food access and security; and

WHEREAS, domestic honey bee care must be maintained so as to prevent an attractive nuisance for pests, including vectors that can transmit disease to humans;

NOW THEREFORE, the Commissioner of Public Health for the City of Cambridge (“Commissioner”) promulgates the following regulation to protect the health of Cambridge residents, workers, students, and visitors.

Section 1. Purpose

The purpose of this regulation is to protect the public health of Cambridge residents, workers, students, and visitors while promoting healthy and safe local food access through regulation of the keeping of honey bees.

Section 2. Authority

This regulation is adopted under the authority of M.G.L c.111 §31 and §122, Chapter 147 of the Acts of 1996 (also codified as M.G.L. c. 111 App. §3-8) and pursuant to any other authority conferred by state or local laws on the Commissioner. Pursuant to this authority, the Commissioner may designate one or more persons to assist the Commissioner to carry out his or her role in the administration and enforcement of this Regulation.

Section 3. Definitions

Abandoned Beehive: Shall mean any unattended, occupied or unoccupied Beehive exposed to occupancy by Bee Swarms.

Abutters: Shall mean owners of land directly adjacent to the property where Beekeeping is proposed as well as any property which is directly opposite of such property on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petition as they appear on the most recent applicable tax list.



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

Apiary: Shall mean a location or structure on a lot containing one or more Beehives and associated bee equipment.

Bee: Shall mean any life stage of the common domestic honey bee, *Apis mellifera*.

Bee Colony: Shall mean an aggregate of worker bees, drones, a single queen, and brood living together as one social unit.

Beehive: Shall mean a structure intended for the housing of one Bee Colony.

Beehive Flyway: Shall mean the direction in which bees fly when exiting a hive.

Beehive Flyway Barrier: Shall mean a solid wall, fence, or other barrier provided for the purpose of causing Bees to fly on an upward trajectory or in an opposing direction from the Beehive.

Beekeeper: Shall mean any person responsible for the keeping of Bees.

Beekeeping: Shall mean the housing of one or more Bee Colonies on a lot for the purpose of collecting products including honey, beeswax, propolis, pollen, and royal jelly, and/or to support the ecological benefits of pollination.

Department: Shall mean the Cambridge Public Health Department.

Flight Area: Shall mean a three (3) foot radius surrounding the entrance to a Beehive. This area surrounding the Beehive entrance is the site of heightened Bee movement as Bees enter and exit the Beehive.

Honey: Shall mean the natural food product made by Bees from nectar collected from a flower's nectarines or a plant's extrafloral nectarines.

ISD: Shall mean the Cambridge Inspectional Services Department.

MDPH: Shall mean the Massachusetts Department of Public Health.

Panel: Shall mean the panel of hearing officers designated by the Commissioner under this Regulation to review applications for the issuance of permits, requests for variances and the enforcement of violations of this Regulation.

Pests: Shall refer to rodents, vermin and insects, including vectors that transmit diseases to humans, such as flies and mosquitoes.

Processed Honey: Shall mean honey that is heat-treated or otherwise extracted with heat.



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

Property Owner: Shall mean every person who has legal title or the right to occupy or control any parcel of land, whether built upon, vacant or otherwise.

Retail Food Permit: Shall mean a food establishment license or permit issued by ISD per the MDPH's Minimum Sanitation Standards for Food Establishments 105 CMR 590 et seq.

Swarm: Shall mean a Bee Colony in search of shelter.

Unprocessed Honey: Shall mean raw honey as defined by the National Honey Board – honey as it exists in the Beehive or as obtained by extraction, settling, or straining without added heat.

Wholesale Food Permit: Shall mean a permit for a food business, including but not limited to food processors, food distribution centers, and food warehouses that are licensed by the MDPH's Food Protection Program to sell food to other businesses rather than directly to consumers.

Section 4. Requirements.

a. All persons keeping Bees in Cambridge shall do so in compliance with all applicable federal, state and local laws, rules and regulations including, but not limited to, the Cambridge Zoning Ordinance ("Zoning Ordinance") and this Regulation. The keeping of Bees in Cambridge shall only be permitted in those districts as set forth in the Zoning Ordinance.

b. Beekeepers shall not keep Bees in a manner that would constitute a nuisance as set forth in M.G.L. c. 111, § 122 or result in any unsanitary condition.

c. Any person keeping Bees in Cambridge shall comply with the applicable requirements of 330 CMR 8.00 et seq. (Massachusetts Apiary Inspection Regulations).

d. Any person keeping Bees in Cambridge shall follow the Massachusetts Beekeeper's Association's Best Management Practices, as amended.

Section 5. Standards for Beekeeping.

a. Standards

i. Number of Beehives.

1. No more than two (2) beehives are allowed on a lot.

2. The maximum number of beehives may be increased to no more than four (4) on a temporary basis, for no more than twenty (20) days, for the purpose of rescuing a swarm or to accommodate the division of a bee colony into multiple bee colonies.



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

ii. Ground-level Beehives shall be constructed at least 5 inches off the ground and use industry standard methods to exclude Pests.

ii. All Beehives shall be marked with the Beekeeper's name and contact information.

b. Flyway Control

i. No Beehive Flyway may be oriented toward any of the following positions, unless a Beehive Flyway Barrier is provided to ensure that Bees fly up and away vertically:

1. An entry door, functioning window, or private outdoor space such as a deck, porch, or balcony located within ten (10) feet of a Beehive, whether of a building on an adjoining lot, or of a dwelling unit located on the same lot as a Beehive, unless the occupant of the dwelling unit grants permission.

2. A public street, park, school grounds, walkway, or bikeway located within ten (10) feet of a Beehive.

3. An access point to a shared porch, balcony, or rooftop on which a Beehive is located within five (5) feet of such access point.

ii. Where provided, a Beehive Flyway Barrier shall be located within three (3) feet of the entrance to the Beehive Flyway, and shall extend at least one (1) foot above the height of the Beehive and at least two (2) feet in width on either side of the Beehive.

c. Apiary Placement

i. An Apiary must be located at least five (5) feet from any property line, or may be closer to the property line if there is a solid fence or wall separating the Apiary from an abutting property.

ii. An Apiary may be located on an elevated surface such as a porch, balcony, deck, or rooftop, provided that it conforms to the standards set forth herein and is set back at least six (6) feet from the parapet, or may be closer to a parapet if it contains a protective barrier such as a railing, fence, or wall.

d. Care and Maintenance of Bees and Beehives

i. Spills of Honey and Beehive by-products shall be removed regularly from a Beehive, to exclude Pests.



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

ii. Bees shall have access to fresh potable water daily. Fresh water provided to for Bees shall be emptied and refilled on a constant basis to prevent stagnant water from serving as a breeding ground for mosquitoes.

e. Beekeepers shall also comply with the standards for beekeeping as set forth in Zoning Ordinance Article 23.40 et seq.

Section 6. Sale of Honey

a. Sale of processed honey requires a Retail Food Permit from the ISD and compliance with the MDPH's Minimum Sanitation Standards for Food Establishments 105 CMR 590.

b. Unprocessed Honey is exempt from the requirements of 105 CMR 590. Exclusive sale of Unprocessed Honey only does not require a Retail Food Permit.

c. Commercial processing, wholesale processed honey operations, and distribution requires a Wholesale Food Permit from MDPH Food Protection Program.

Section 7. Permit Required

No person shall keep Bees in Cambridge without obtaining a permit to do so from the Panel pursuant to this Regulation.

Section 8. Permit Application Requirements

Each person proposing to keep Bees shall submit an application to the Department which shall include the following:

- a. Applicant name and contact information;
- b. A scale drawing (hand-drawn or electronic), which depicts:
 - i. The proposed Beehive location(s) and dimensions, and
 - ii. The number of Beehives,
- c. Beehive structure design including entrances, Flight Area, Beehive Flyway, Beehive Flyway Barriers, and the location of any other structures on the lot;
- d. A description of the Beehive(s)' construction including measures to exclude Pests;
- e. Written consent of the Property Owner(s);
- f. A written statement from Beekeeper, which shall include:



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

- i. A guaranty not to abandon any Beehive, including, but not limited to, in the event that the lot where the Beehive is located is sold or the Beekeeper is no longer entitled to use the lot;
- ii. A plan to transfer ownership of all permitted Apiaries to another Beekeeper or sanctuary if necessary.
- g. The applicant shall apply for a permit on a form to be provided by the Department. All materials submitted in a permit application shall be considered part of any permit issued by the Panel.
- h. After a permit to keep Bees has been issued, no modifications to plans submitted in support of an application to obtain said permit shall be made unless such modified plans have been approved by the Panel.
- i. Permits issued by the Panel are personal to the permittee and shall not be transferable. A new permit application must be submitted to the Department whenever there is a new owner seeking to keep Bees on said property. Any sale or transfer of the property that houses a Beehive shall require immediate written notification by the Beekeeper to the Department. If the new Property Owner does not consent to the continued keeping of Bees at the property, the permittee shall cease the keeping of Bees at the property and promptly surrender any permit to the Department.
- j. The permit application fee shall for the issuance of a permit is fifty (\$50) dollars and shall be due at the time the applicant submits the permit application to the Department.

Section 9. Variances

- a. The Panel may grant a request for a variance of the requirements of this Regulation if the Panel determines that such a requirement would constitute a substantial hardship and provided that the granting of a variance request will not jeopardize public health or the environment and shall not conflict with the intent and spirit of this Regulation.
- b. A request for a variance shall be submitted in writing to the Department. The applicant shall make a request for a variance on a form to be provided by the Department. The Department may ask for supporting evidence prior to forwarding the variance request to the Panel for consideration at a public hearing. The request shall not be deemed complete until all such requested evidence has been received by the Department.
- c. Any variance granted under this section may be subject to qualification, revocation, suspension, or expiration. A variance granted may be revoked, modified, or suspended in whole or



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

in part, after the holder thereof has been notified in writing and has been given an opportunity to be heard by the Panel in accordance with this Regulation.

d. Any variance granted by the Panel shall be in writing. A copy of any such variance, while it is in effect, shall be available to the public at all reasonable hours at the Department. A copy of the variance shall also be on file with the permit holder.

j. The fee shall for request for a variance is twenty-five (\$25) dollars and shall be due at the time the applicant submits the application to the Department.

Section 10. Renewals

a. All permits to keep Bees may be renewed annually and shall expire on October 15th of each year. A person seeking to renew a permit to keep Bees shall submit an application for renewal to the Department no later than forty-five (45) days before the expiration of any such permit. The applicant shall apply for a renewal on a form to be provided by the Department. Failure to timely apply for a renewal of permit shall result in the termination of the permit.

b. The application fee for a permit renewal fee shall be twenty-five (\$25) dollars and shall be due at the time the applicant submits the application to the Department.

Section 11. Notification

Upon receipt of a complete application for the issuance of a permit for the keeping of Bees or a request for a variance, the Department shall provide written notification to Abutters and to all owners and residents of the property where Beekeeping is proposed. Such notice shall provide notice of the date and time of a public hearing of any such application or request. Such notification shall be made by certified mail, return receipt requested.

Section 12. Hearings

a. There is hereby established a panel of three (3) hearing officers who shall be Department staff designated by the Commissioner ("Panel") which shall conduct public hearings to consider the issuance, suspension and revocation of permits, and requests for variances pursuant to this Regulation.

b. The Commissioner shall appoint a chairperson of the Panel. The Panel shall vote to appoint a vice-chairperson. The terms of the hearing officers shall not expire.

c. The Panel shall conduct public hearings as needed. Two hearing officers shall constitute a quorum for the purpose of convening a hearing and of conducting the business of the Panel. The Panel shall approve its actions by majority vote.



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

d. The Panel shall not consider any application for a permit or request for a variance unless the Department has received applications or requests that are complete.

e. The Panel shall not issue a permit or grant a request for a variance if the Panel determines the keeping of Bees poses a health risk to the public or to a person who lives directly adjacent to or at the property or is an Abutter to where Beekeeping is proposed. In making its determination, the Panel shall consider evidence of such risk. "Health risk" shall mean the likely possibility of physical or mental injury or harm to one or more persons caused by the keeping of Bees.

f. Department staff shall present his or her recommendations to the Panel at a public hearing as to whether a permit should be issued, suspended or revoked or whether any request for variance should be granted or denied.

g. The Panel, in its sole discretion, may approve or reject the entirety or portions of an application for the issuance of a permit or request for a variance or may require modifications to any of these before any such issuance or variance is approved.

h. An applicant for the issuance of a permit or variance or any permittee subject to suspension or revocation shall have a right to be heard at a public hearing before the Panel prior to the Panel rendering a decision.

i. The Commissioner may promulgate guidelines for orderly procedure at hearings and for the proper implementation of the Panel's responsibilities under this Regulation.

Section 13. Enforcement

a. Authority to enforce this Regulation shall be held by the Commissioner or his or her designees.

b. Any violation of this Regulation may be enforced by the Commissioner or his or her designees, in the manner provided in M.G.L. c. 111, § 187 and this Regulation.

Section 14. Inspections

The Commissioner or his or her designees may inspect a Beehive at any time to investigate whether there has been a violation of this Regulation. The Commissioner or his or her designees shall conduct an inspection when any of the following apply:

a. The Department has received a written or oral complaint about the keeping of Bees; or



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

b. The Department has received an application for the issuance of a permit or a request for a variance or a request for the modification of any permit. There may be one or more inspections conducted by the Commissioner or his or her designees during the application process.

Section 15. Violations

a. Written notice of any violation of this Regulation shall be sent to the Beekeeper and Property Owner by the Department, and shall:

- i. Specify the nature of the violation and the schedule for compliance;
- ii. Order any corrective actions that must be undertaken to remedy any violation of this Regulation, and
- iii. Order any preventative measure necessary to avoid future violations.

b. Any permittee may request a hearing before the Panel after receiving a notice of a violation. Such request must be made in writing and submitted to the Department within ten (10) days of receipt of written notice of any violations.

c. At a public hearing in response to a permittee's request for a hearing, the Panel may deny, uphold or uphold or deny in part, the violation.

Section 16. Imminent Health Hazards

If the Commissioner or his or her designees determines that a Beehive causes an imminent health hazard, the Commissioner or his or her designees may require that the Beehive be immediately removed at the Beekeeper's expense without a hearing.

Section 17. Penalties and Costs

a. Any person who violates any provision of this Regulation may be penalized by a non-criminal disposition process as provided by M.G.L c.40 §21D. If non-criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to a penalty as follows:

- i. First Offense - \$50.00
- ii. Second Offense - \$75.00
- iii. Third Offense - \$100.00
- iv. Fourth and Further Offenses - \$300.00



CAMBRIDGE PUBLIC HEALTH DEPARTMENT REGULATION FOR THE KEEPING OF HONEY BEES

v. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

b. Any person who violates any provision of this Regulation may be penalized by a complaint brought in a court of competent jurisdiction as provided by M.G.L. c.218 §26. Except as may be otherwise provided by law and as the court may see fit to impose, the maximum penalty for each violation or offense shall be three hundred dollars. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

c. A Beekeeper shall be wholly liable for any and all costs related to remediating any violation of this Regulation as set forth in M.G.L. c. 111, § 125 including but not limited to any Beehive, Apiary, Colony or Swarm.

Section 18. Severability

If any provision, clause, section, sentence, or paragraph of the above Regulation shall be held to be invalid, such invalidity shall not affect the remaining provisions of this Regulation. The valid part of any provision, clause, section, sentence, or paragraph shall be given independence from the invalid provisions, and to this end the provisions are hereby declared to be severable.

This regulation was promulgated by the Commissioner of Public Health for the City of Cambridge on December 5, 2017.