

ORDINANCE NO. 01-2026

AN ORDINANCE ADOPTING AND ESTABLISHING A CODE FOR KEEPING AND MAINTAINING BEES; REPEALING ALL ORDINANCES IN CONFLICT OF THEREOF

WHEREAS, it is the intent of the City Council of the City of Austin, Arkansas to adopt a new code for keeping and maintaining bees within the city limits, in an effort to protect the public health and safety of the City of Austin residents and encourage humane treatment of bees;

WHEREAS, State law and regulations set forth some professional standards for apiary and beekeeping within the state of Arkansas; and

WHEREAS, the City Council wishes to supplement the already existing restrictions with reasonable regulations to protect its citizenry.

THEREFORE, be it ordained by the City Council of the City of Austin, Arkansas, that:

Section 1. Code.

- a. Beekeeping and apiaries shall be allowed in accordance with state apiary laws and regulations with no more than two (2) active hives per household.
- b. Each hive shall be properly and safely constructed and located at least two hundred (200) feet from the nearest resident.
- c. Upon request by the City of Austin administrative staff, Austin Police Department or Austin Code Enforcement, beekeepers must provide a copy of the latest yearly inspection report as completed by the State Apiary inspector.
- d. Active hives must be within a protective fence or other enclosure which will prevent tampering with or ingress of passerby.

Section 2. Enforcement.

- a. The Austin Police Department and Austin Code Enforcement are hereby authorized to issue citations of any violations herein.
- b. If citations cannot be delivered in person, they shall be sent certified mail and addressed to the property owner, or known beekeeper.
- c. The affidavit of the testimony of the Austin Police Officer, Austin Code Enforcement Officer, or authorized agent, who delivered or mailed such instruction shall be prima facie evidence of the receipt of the instructions by the owner of the property and/or beekeeper.

Section 3. Fees.

- a. Violation of this Ordinance is a misdemeanor and any person convicted shall be fined as follows:
 - a. First Offense. Any sum not less than one hundred dollars (\$100.00) minimum and a maximum of one thousand dollars (\$1000.00).

- b. Second Offense. Any sum not less than two hundred and fifty dollars (\$250.00) and a maximum of one thousand dollars (\$1,000.00).
- c. Third Offense. Mandated judge appearance and a fine of no less than five hundred dollars (\$500.00).


Section 4. Repeal Clause. All Ordinances or parts of Ordinances in conflict herewith repealed to the extent of conflict.

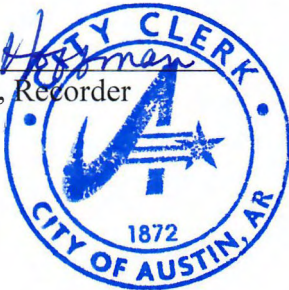
Section 5. Severability Clause. If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions thereof which are valid, and that such valid portions shall be and remain in full force and effect.

PASSED AND ADOPTED ON THIS 10th **DAY OF** February **2026.**


Bernie Chamberlain, Mayor

ATTEST:


Tommie Hoffman, Recorder
Recorder




Lanny Richmond
City Attorney