
ORDINANCE NO. 2022-23-09

*An Ordinance Amending Section 10, Residential Districts of the
Johnsburg Zoning Ordinance adding 10.7 Beekeeping and Apiaries*

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON OCTOBER 4, 2022
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry
Beth Foreman
Kyle Frost
Josh Hagen
Greg Klemstein
Scott Letzter

Village Administrator

Claudett Sofiakis

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BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg, McHenry County, Illinois, as follows:

SECTION 1: That Section 10 Residential Districts, of the Johnsburg Zoning Ordinance is hereby amended to add Section 10.7 Beekeeping and Apiaries as follows:

10.7 BEEKEEPING AND APIARIES -The keeping of honey bees, of the European species *Apis mellifera*, shall be permitted only in Estate Zoning Districts (in addition to the Agricultural District) on parcels measuring one (1) acre or greater, provided the following conditions are met:

10.7-1 - Beekeeping shall be considered an accessory activity and shall not be permitted prior to the establishment of the principal structure on the property.

10.7-2 - The beekeeper must reside on the property.

10.7-3 – Beekeeping shall not be pursued in the Estate Zoning District as a commercial activity and the sale of honey generated on the property shall be prohibited.

10.7-4 Apiaries are prohibited in the front yard and must be located a minimum of 30 feet from any side or rear property line. In the case of a reverse corner lot, apiaries may not be located beyond the established front yard on the adjacent lot to the rear or 30 feet from the property line, whichever is greater. Signage measuring 7”x10” shall be placed along the side and rear property lines notifying adjacent property owners of the bee keeping activity taking place on the property.

10.7-5 All bee colonies shall be kept in a removable frame hive which shall be maintained in sound and usable condition. Five (5) full beehives (hives) and five (5)“ nucleus hives” shall be permitted on a lot measuring one (1) acre. One beehive and one nucleus hive shall be permitted for each additional 10,000 square feet over one (1) acre. Hives may not be greater than 4 feet in height as measured no more than 14” from the natural grade and no more than 2 feet in width.

10.7-6 Persons seeking to have and maintain an apiary in the Estate zoning districts shall register annually as a beekeeper with the Village of Johnsburg. Registrants must provide a plat of survey depicting all existing structures on the property and the proposed location of the apiary and water source. An annual registration fee of \$50 shall apply. In compliance with the Illinois Bees and Apiaries Act (510 ILCS 20/1 et seq.), every person keeping bees shall also register with the Illinois Department of Agriculture and apiary must be actively maintained in accordance with 510 ILC 20/1 et seq.. Proof of such registration must be provided upon registering with the Village. Membership in the Northern Illinois Beekeeper’s Association is encouraged.

10.7-7 - Each beekeeper shall provide a convenient supply of water which shall be continuously available and located within the parcel closer to the hives than any water source on any adjoining parcel. Such water supply shall be designed to allow bees to access water by landing on a hard surface. Water requirement shall be in effect from April 1 to November 30 and on any and all days in which the temperature exceeds 55 degrees for three or more consecutive days.

10.7-8 - In any instance in which a colony exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition toward swarming, the beekeeper and property owner shall be jointly and severally responsible to remove that colony from the property or promptly re-queen the colony within 7 days of observation of such aggressive behavior. Unusual colony characteristics and disposition may be verified by an Illinois Apiary Inspector at the property owner's expense.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


SECTION 4: This Ordinance shall be in full force and effect 10 days from its passage.

Voting Aye: Trustees Foremann, Curry, Frost, Klemstein, Hagen and Letzter

Voting Nay: None

Abstain: None

Absent: None

APPROVED: 

Village President Edwin P. Hettermann

(SEAL)

ATTEST: 

Village Clerk Claudett Sofiakis

Passed: October 4, 2022

Approved: October 4, 2022

Published: October 4, 2022

CERTIFICATION

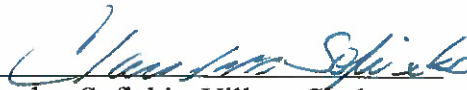
I, CLAUDETT SOFIAKIS do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 4th day of October, 2022 the foregoing Ordinance entitled *An Ordinance Amending Section 10 Residential Districts of the Johnsburg Zoning Ordinance adding 10.7 Beekeeping and Apiaries*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2022-23-09 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 4th day of October, 2022, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 4th day of October 2022.



Claudett Sofiakis, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

(SEAL)