



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.