

SEC. 3.04.002. FEEDING OF CERTAIN WILD ANIMALS PROHIBITED

A. No person shall knowingly feed any Wild Animal within the corporate limits of the City.

B. Exceptions.

1. Any person who feeds or provides food for less than 24 hours to a trapped, injured or unweaned Wild Animal until the animal can be turned over to a licensed wildlife specialist.
2. Any person with a bird feeder intended for birds or a squirrel feeder intended for squirrels, provided reasonable attempts have been taken to make it inaccessible to other Wild Animals. Areas below the feeder shall be kept free from accumulations of seed debris and in a sanitary manner that does not attract other wild animals.
3. Any person feeding animals in the normal course of raising farm animals for food production or in the care of livestock animals, provided all reasonable efforts are made to reduce attractants to wild animals in the course of feeding livestock/farm animals and in the storage of animal feed.
4. Nothing in this section shall restrict citizens' ability to maintain ornamental plants or vegetable gardens on their property.
5. Nothing in this section shall prohibit the actions of the Animal Services Officer, Missouri Department of Conservation, their authorized agents or other individual(s) acting lawfully pursuant to wildlife waterfowl management programs duly authorized by the City of Independence, the State of Missouri, or the Federal Government of the United States of America.

SEC. 3.04.003. PENALTY.

A. Any person violating any of the provisions of this Article shall, upon conviction thereof, be punished by a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00).

B. For every day such violation is continued after the conviction of any person for the violation of any provisions of this Article, such person may again be arrested, tried, convicted and punished as in the first instance.

SEC. 3.04.004. BEEKEEPING

A. The governing body of the City of Independence, Missouri finds that there is a need to regulate and set minimum standards for the keeping of bees within the corporate limits of the city to protect the public health, safety and welfare of the residents of Independence.

B. It shall be unlawful for any person to place, establish or maintain any hive or apiary or keep any bees in or upon any premises within the corporate limits of the city unless the bees are kept in accordance with the provisions of this article.

C. Permissible Locations

a. No person shall establish or maintain any hive or apiary or keep any bees on any premises closer than 50 feet to the property line of an adjoining property.

b. No person shall establish or maintain any hive or apiary or keep any bees on any premises closer than 50 feet to the exterior line of the travel portion of a public street or sidewalk.

c. Hives are permitted only in the side and rear yards, unless roof mounted.

d. Any person owning a hive or apiary on vacant or property other than their residence shall identify each hive or apiary by a sign or other prominent marking stating in letters at least two inches in height on a contrasting background the name, address and phone number of the owner of such equipment.

D. Subsequent Development of Adjacent Properties

If adjacent property is later developed, or residential structures locate closer than the distances prescribed in this chapter, the beekeeper shall move such hives or apiaries to comply with the distance standards established by this article within 90 days of the occupancy of the residential structure.

E. Minimum Standards

a. A water source for the bees shall be provided on the same property within 20 feet of each hive or apiary to discourage the bees from congregating at swimming pools, fountains, pet watering bowls, bird baths or other water sources where the bees may come in contact with humans, birds or domestic pets.

b. The owner of any hive or apiary shall establish and maintain a flyway barrier six feet in height consisting of a solid wall, fence, vegetation or combination thereof that is parallel to the property line and that extends ten feet beyond the hive or apiary in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over property lines in the vicinity of the hive or apiary.

F. Exemptions

Nothing in this article shall be deemed or construed to prohibit the keeping of bees within a school, college, or university building for the purposes of study or observation, or within a physician's office or laboratory for the purpose of medical research, treatment, or other scientific purposes.

G. Violations

a. Any person determined to be in violation of this section may be issued a written warning which provides a period of time to come into compliance and/or provide satisfactory evidence of working to achieve compliance. That period of time shall not exceed ninety (90) days from the issuance of the initial warning notice. Failure to comply may result in the issuance of a general ordinance summons.

b. Any person violating any of the provisions of this Section shall upon conviction thereof be punished by a fine of not less than Fifty Dollars (\$50.00) and not more than (\$500.00).

c. Upon a finding of guilt or a guilty plea for any offense in this section, the Judge may order that the hives be removed from the property.

SEC. 3.04.005 - 3.04.999 RESERVED.