

Swartland, South Africa

## Keeping of Bees

Legislation as at 19 April 2002

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## Swartland South Africa

### Keeping of Bees By-law, 2002

Published in Western Cape Provincial Gazette 5859 on 19 April 2002

**Commenced on 19 April 2002**

*[This is the version of this document from 19 April 2002 and includes any amendments published up to 28 June 2024.]*

*[Some of the provisions of this By-law have no headings.]*

#### 1.

In this by-law, unless the context otherwise indicates:—

"area of jurisdiction" means the area referred to in paragraph 2 of the proclamation promulgated under Provincial Notice 485 dated 22 September 2000;

"Council" means the council of the Swartland Municipality, and

"zoned" means a land-use applicable to land in terms of any town planning scheme regulations.

#### 2.

The provisions of this by-law do not apply where bees are kept on premises which is zoned as agricultural zone.

#### 3.

- (1) Save the provisions of section 2 no person shall on any premises within the area of jurisdiction of the Council keep or permit to be kept bees without the sanction in writing of the Council.
- (2) Any application for the sanction of the Council to keep bees shall be in writing and the applicant shall in such application—
  - (a) specify the premises whereon the applicant proposes to keep bees;
  - (b) state the maximum number of hives to be used; and
  - (c) state whether or not the applicant has a knowledge of the habits of bees and if the affirmative, satisfy the Council that in fact he or she has such knowledge.

#### 4.

No person shall under authority of the sanction of the Council in terms of section 3, keep bees—

- (1) on premises less than 3 700 m<sup>2</sup> in extent;
- (2) except in a bar-framed hive approved by the Council, situate not less than 90 m from any street, dwelling, place of business or fowl-house or place where animals or birds are kept, and enclosed by means of a sound wire fence or wall of a height not less than 5. 1,5 m at a distance of not less than 4,5 m in any direction from such hive so as to render such hive inaccessible to animals or unauthorised persons.

**5.**

Notwithstanding the provisions of the foregoing sections, Council may—

- (1) withhold its sanction in the case of any premises, whereon it is proposed to keep bees in terms of any application made therefor, being within 400 m, measured from the nearest point of the nearest boundary of such premises, of the nearest point of the nearest boundary of any church, school, hospital or cinema or any other place of amusement, gathering of recreation;
- (2) withhold its sanction in the case of the applicant not having any or, in the opinion of the Council, not sufficient knowledge of the habits of bees; or
- (3) cancel any sanction given in the case of any person who has failed or is failing to comply with the provisions of section 2 after 7 days of a notice served upon the holder of such sanction of its intention to do so;

**6.**

No person shall keep or permit to be kept bees on any premises within the area of jurisdiction of the Council whereon is situated any building used for the purpose of any industry, business or trade.

**7.**

Any sanction of the Council given for the keeping of bees shall, subject to the provisions of this by-law, expire on the 31st December in each year and application for the renewal thereof shall reach the Municipal Manager not later than the 1st December of such year.

**8. Penalty clause**

Any person who contravenes or fails to comply with any provision of this by-law shall be guilty of an offence and liable upon conviction to a penalty not exceeding—

- (1) a fine of one thousand Rands or imprisonment for a period of six months or either such fine or such imprisonment or both such fine and such imprisonment or both such fine and such imprisonment;
- (2) in the case of a continuing offence, an additional fine of fifty Rands or an additional period of imprisonment of ten days or either such additional fine or such additional imprisonment or both such additional fine and imprisonment for each day on which such offence is continued, and
- (3) a further amount equal to any costs and expenses found by the court to have been incurred by the local authority as a result of such contravention or failure.