

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3284

AN ORDINANCE REPEALING CHAPTER 3, ANIMALS, OF TITLE 5, POLICE REGULATIONS, OF THE HELENA CITY CODE

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

That Chapter 3, Animals, Title 5, Police Regulations, of the Helena City Code is hereby repealed with the chapter numbering reserved for future use.

~~CHAPTER 3~~

~~ANIMALS~~

~~5-3-1: ANIMALS RUNNING AT LARGE: It shall be unlawful for the cattle, sheep, goats or other domestic animals to suffer or permit the same to run at large within the city limits. (1979 Code)~~

~~5-3-2: IMPOUNDING; FEES: All such animals found running at prescribed in section 5 3 1 of this chapter. When any such animal is taken up and confined, it shall not be released until the owner shall pay to the animal control officer having such animal in charge, a fee for taking up or discharging each and every such animal taken up and confined, and an additional fee for the suitable proper sustenance of each and every such animal for every twenty four (24) hours the animal is kept. For every subsequent offense during the same season, an additional fee for each and every animal so impounded will be imposed.(Ord. 3177, 6 1 2014, eff. 7-15-2013)~~

~~5-3-3: FEEDING OF ANIMALS; CHARGES: It shall be the duty of the animal control officer to furnish such necessary forage as shall or may be necessary for the sustenance of any and all animals impounded for which he shall receive the sum of two dollars fifty~~

ORDINANCES OF THE CITY OF HELENA, MONTANA

Ord. 3284

~~cents (\$2.50) per day for each animal so impounded as provided in section 5-3-2 of this chapter. (1979 Code)~~

~~**5-3-4: NUMBER OF ANIMALS WHICH MAY BE KEPT:** It shall be unlawful for any person to keep or use any yard, pen, place or premises within the city limits in or upon which more than two (2) head of cattle, horses, sheep or goats, above the age of one year shall be confined or kept at any one time without written permit for the same being issued by the city county health department. (1979 Code)~~

~~**5-3-5: KEEPING OF ANIMALS RESTRICTED:**~~

~~A. Any person keeping or maintaining within the city limits, any domestic animals such as cattle, horses, sheep, goats, pigs, ducks, geese or chickens (except common household pets) within twenty five feet (25') of the dwelling of another person within the said city limits shall be guilty of a misdemeanor.~~

~~B. Any person keeping or maintaining, within the city limits, any swine shall be guilty of a misdemeanor.~~

~~C. It shall be unlawful for any person to picket any animal (except dogs) within the city limits unless the same shall at all times be attended by some person. (Ord. 3123, 7-12-2010)~~

~~**5-3-6: FEEDING OF DEER:** Except for deer allowed to be kept as wild animals under section 5-2-21 of this title, a person may not purposely or knowingly provide supplemental feed to deer. (Ord. 3046, 12-5-2005)~~

~~**5-3-7: KEEPING OF APIARIES**~~

~~A. The keeping of apiaries within the city limits is permitted for the following purposes:~~

- ~~1. For exhibition purposes only in observation hives. Only one observation hive may be kept on a premises and may not have more than three (3) frames, each no larger than ten inches by twenty inches (10" x 20") in size with no more than a total of two (2)~~

ORDINANCES OF THE CITY OF HELENA, MONTANA

Ord. 3284

~~pounds of bees for the exhibit.~~

~~2. By a hobbyist beekeeper of two (2) hives on premises licensed and regulated by this chapter. (Ord. 3123, 7-12-2010)~~

~~B. A hobbyist beekeeper may own, use, or maintain a hobbyist apiary site within the city provided that beekeeper first obtains an annual apiary license from the city. An apiary license may only be issued to a hobbyist beekeeper who: (Ord. 3177, 6-10-2013, eff. 7-15-2013)~~

~~1. Has no more than two (2) hives at a hobbyist apiary site that is registered with the Montana department of agriculture, pursuant to section 80-6-114, Montana Code Annotated;~~

~~2. Certifies that the hobbyist beekeeper is the owner of the bees and that the hobbyist beekeeper will personally manage, maintain and operate the apiary site;~~

~~3. States the species of bees the hobbyist beekeeper intends to tend;~~

~~4. Shows that the hobbyist apiary site uses hives that are movable and framed with adequate space in the hive to prevent overcrowding and swarming;~~

~~5. Agrees that the hobbyist apiary site must be requeened or united with another hive following any swarming or aggressive behavior by the bees of that site or any hive therein;~~

~~6. Agrees that the hobbyist apiary site may not be manipulated between the hours of sunset and sunrise unless the hives are being moved to or from another location or for public safety; and~~

~~7. Presents a site plan of the hobbyist apiary site~~

ORDINANCES OF THE CITY OF HELENA, MONTANA

Ord. 3284

~~showing:~~

- ~~a. That the hobbyist apiary site is located on property owned or leased by the hobbyist beekeeper;~~
- ~~b. Availability of a water source that is within twenty feet (20') of the hobbyist apiary site for the active duration of the site; and~~
- ~~c. That the hobbyist apiary site will either be kept at least fifteen feet (15') from the boundary lines of adjacent property owned by another person and that there is a barrier no less than six feet (6') high that prohibits the direct flight of bees that is erected between the site and adjoining property.~~

~~C. For any violation of a license issued hereunder, after providing a fifteen (15) day written notice of the violation and an opportunity to correct the violation, the city manager may revoke the license if the violation continues uncorrected after the fifteen (15) day period. (Ord. 3123, 7 12 2020)~~

FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,

THIS 13th DAY OF OCTOBER 2020.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN
CITY CLERK

ORDINANCES OF THE CITY OF HELENA, MONTANA

Ord. 3284

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 26th DAY OF OCTOBER 2020.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN
CITY CLERK