

**SHREWSBURY BOROUGH  
YORK COUNTY, PENNSYLVANIA**

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**ORDINANCE NO. 2025-03**

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**AN ORDINANCE OF SHREWSBURY BOROUGH, YORK COUNTY, PENNSYLVANIA,  
ESTABLISHING RULES AND REGULATIONS FOR THE KEEPING OF BEES IN  
BOROUGH LIMITS, PROCEDURES FOR ISSUING LICENSES, AND PENALTIES FOR  
VIOLATION THEREOF**

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**WHEREAS**, pursuant to 8 Pa. C.S.A. § 1202 (5), boroughs are authorized to make regulations as may be necessary for the health, safety, morals, general welfare and cleanliness of the borough; and

**WHEREAS**, Shrewsbury Borough deems it in the best interest and general welfare of the Borough to establish rules and regulations for the keeping of bees in the Borough.

**NOW, THEREFORE**, be it ordained and enacted by the Shrewsbury Borough Council, York County, Pennsylvania, and it is hereby ordained and enacted as follows:

**SECTION 1: INTENT.** It is recognized that honey bees are beneficial to humankind and to Pennsylvania in particular by providing both home garden and agricultural pollination services as well as furnishing honey, beeswax, and other useful products. The purpose of this Ordinance is to establish certain requirements for beekeeping within the Borough of Shrewsbury.

**SECTION 2: TITLE.** This Ordinance shall be known as the “Shrewsbury Borough Beekeeping Ordinance.”

**SECTION 3: DEFINITIONS.** As used in this Ordinance, the following words and terms shall have the meanings ascribed in this section unless the context of their usage clearly indicates another meaning:

**APIARY** - Any place where one or more colonies of bees are kept at a single location.

**AFRICANIZED HONEY BEE** - Hybrids of the African Honey bee (*Apis melliferas cutellata*) with various European Honey bees that are aggressive compared to the European subspecies.

**BEEKEEPER** - A person who owns or has charge of one or more colonies of honey bees.

**BEE DISEASE** - Disease such as American Foulbrood or other actionable disease as determined by the U.S. Department of Agriculture.

BEEKEEPING EQUIPMENT - Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

BOROUGH – Shrewsbury Borough, York County, Pennsylvania.

COLONY - An aggregate of honey bees consisting principally of workers, drones, and a queen.

DEPARTMENT - Refers to the Pennsylvania Department of Agriculture, Bureau of Plant Industry.

FLYWAY BARRIER - A wall, fence, vegetation, hedge, or combination thereof that forces bees to fly at a higher elevation above ground level over the property lines in the vicinity of the apiary.

FRONT YARD - A yard across the full width of the lot, extending from any point of a principal building or structure to the road center line and as further defined in the Borough's Zoning Ordinance.

HIVE - A receptacle or container, that includes modern moveable frames or combs, in which an active colony inhabits and exceeds a volume of 50 liters (*i.e.* a single standard Langstroth 9 5/8" deep body with 10 frames plus one additional hive body).

HONEY BEE - All life stages of the common domestic honey bee, *Apis mellifera* species ("European" honey bee).

NUCLEUS COLONY - A hive that does not exceed the volume of 50 Liters (*i.e.* a single 10 frame standard 9 5/8" deep body or less).

TRACT - A contiguous parcel of land identified by a single tax parcel number. A tract may also be referred to as Lot or Property.

UNDEVELOPED PROPERTY - Any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school, or governmental facilities or other structures or improvements intended for human use occupancy and the grounds maintained in association therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

**SECTION 4: STANDARDS OF PRACTICE.** Honey Bee Apiaries are permitted as an accessory use in all zones when in compliance with the Pennsylvania Bee Law (3 Pa.C. S. A §2101 *et seq.*, as amended) and subject to the following regulations:

## **A. Registration, Certification and Permits**

1. No Beekeepers may own or maintain an Apiary within the Borough without first registering and maintaining a current permit for all Apiaries with the Department as required by the Pennsylvania Bee Law, 3 Pa. C. S. A §2101 *et seq.*, as amended. Beekeepers shall provide proof of such registration, and the maintenance thereof to the Borough. There shall be no fee required from the Borough for this registration.
2. A Beekeeper owning or maintaining an Apiary in the Borough shall promptly notify the Code Enforcement Officer or appropriate office without unnecessary delay, and in no event longer than 72 hours, if the Department revokes said Apiary registration or if said registration has lapsed.
3. No Beekeeper shall own or maintain an Apiary within the Borough without first obtaining a registration permit from the Borough. An application for a one-time registration permit shall be made in writing and upon supplied form or in such format as established by the Borough. The application shall be accompanied by a Lot plan that includes the size of the Lot, the location and number of Hives, the location of the water source, the distance of the Hives from any Property lines, and, if required, the location of any Flyway Barriers. The issuance of a permit shall not obviate the necessity for compliance with all other Borough ordinances.
4. The application for a Borough permit shall also be accompanied by written evidence that the applicant has completed a beekeeping educational course/program with a minimum of eight (8) hours of instruction and has a letter of validation from an officer of the PA State Beekeepers Association, an officer of a local bee club, or a certified Master Beekeeper.
5. Beekeepers that wish to own or maintain an Apiary on Property they do not own must include written permission from the Property owner or landlord that explicitly indicates that the Beekeeper has permission to own or maintain an Apiary on the subject Property. Such written permission shall be supplied to the Borough as part of the beekeeping registration application.

**SECTION 5: LOCATION, TYPE AND DENSITY OF HIVES.** Placement of an Apiary on a residential Property should conform to the following regulations to minimize and eliminate any possible concerns to adjoining neighbors:

### **A. Location of Hives must comply with the following criteria:**

1. Hives shall not be located within ten (10) feet of any side or rear property line unless a Flyway Barrier is in place or the Hive(s) are located at least ten (10) feet above grade.

2. Hives shall not be located within a Front Yard. To the extent that the location of the Hives cannot be accomplished in accordance with the criteria of this Section 5 except that such Hives must be placed within a Front Yard, a request may be made for authorization of such a location. If the Hives are allowed to be placed within a Front Yard area, then the Borough shall be entitled to impose additional restrictions that may be necessary to protect the Hives and adjacent Properties or the Borough.
3. Hives shall not be located within seventy-five (75) feet of a pre-existing swimming pool or a pre-existing kenneled animal.
4. Apiaries are not permitted within ten (10) feet of any pre-existing buildings located on adjacent Properties.

**B. Hive Orientation and Flyway Barriers.**

1. Hive entrances shall face away from the closest neighboring Property and in such a direction that the bees fly across the Beekeeper's property at sufficient distance to gain a height of at least six (6) feet at the property line.
2. The use of barriers may be employed to redirect the bees flight pathway and establish bee flight pathways above six (6) feet.
3. Should the flight path not be able to be obtained as described in Section 5.B. 1, then a Flyway Barrier shall be used. The Flyway Barrier shall meet the following specifications:
  - a. Be at least six (6) feet in height.
  - b. Be placed along the side of the Hive(s) that contains the entrance to the Hive(s).
  - c. Be located within five (5) feet of the Hive(s).
  - d. Extend at least two (2) feet on either side of the Hive(s).
4. No Flyway Barrier is required for hive(s) which are located:
  - a. Greater than ten (10) feet from the Property lines.
  - b. On porches, balconies, or roof tops that are at least ten (10) feet above grade UNLESS an adjacent Property's porch, balcony, or roof is within ten (10) feet of the property line.
5. Exceptions to Flyway Barrier.

- a. A Flyway Barrier is not required if the Property adjoining the Apiary lot line is:
  - i. Undeveloped (however, if such land is subsequently developed, a Flyway Barrier must be installed by the Beekeeper on the Property within ninety (90) days of occupancy of the now developed land), or
  - ii. Zoned agricultural, industrial, or is outside borough limits, or
  - iii. Is a state game lands, state park, national forest, state forest, natural park, or conservation area and has no pre-existing human or horse trails within twenty-five (25) feet of the property line.

### C. Hive Density.

1. It shall be unlawful to keep more than the following number of Colonies on any Tract within the Borough, based upon the size or configuration of the Tract on which the Apiary is situated:
  - a. One-quarter acre or less tract size - three (3) Colonies.
  - b. More than one-quarter acre but less than one-half acre Tract size - six (6) Colonies/Hives.
  - c. At least one-half acre but less than three-quarters acre Tract size - nine (9) Colonies/Hives.
  - d. At least three-quarters acre but less than 1 acre Tract size - twelve (12) Colonies/Hives.
  - e. Regardless of Tract size, where all Hives are situated at least two hundred (200) feet in any direction from all Property lines of the Tract on which the Apiary is situated, there shall be no limit to the number of Colonies.
  - f. Exceptions:
    - i. As part of normal Honey Bee Colony management, a Beekeeper may also keep, in addition to allowable standard Hives, for up to forty-five (45) days between April 15 and August 15, two (2) Nucleus Colonies per standard Hive, provided they are used for managing Colony strength, to

minimize reproductive swarming, queen rearing or swarm capture.

- ii. For each allowed Hive, a single nucleus hive may be kept from August 16 to April 14 to allow a Beekeeper to mitigate winter bee losses.
- iii. Apiaries that are pre-existing prior to enactment of this Ordinance shall not be subject to the limitations of section 4.A.3 and shall not exceed the number of Hives active at the time of the Ordinance and shall be confirmed by the pre-existing Apiary registration of the location as reported by the Department.

#### **D. Hive Maintenance.**

- 1. A supply of fresh water shall be maintained in a location readily available to all bee Colonies on the Property throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby Properties between April 1 - November 1.
- 2. All Beekeepers shall ensure that no bee comb or other materials that attract Honey Bees are left on the ground of the Apiary lot. Upon removal from the Apiary, all such materials shall be properly maintained in a sealed container or placed within a building or other bee proof enclosure, so long as bees are kept on the Property.

**SECTION 6: ZONING.** Apiaries may be located in any zoning district.

**SECTION 7: INSPECTION.** If an inspection is required as a result of a nuisance complaint, the designated representative of the Borough will inspect the Property only and not the bee Hives. A state or local beekeeping organization may be contacted to assist in understanding how the complaint arose and to what extent it is actually caused by the Honey Bees/Beekeeper. A notice of forty-eight (48) hours shall be given to the Beekeeper prior to any inspection.

#### **SECTION 8: UNLAWFUL ACTIVITIES, VIOLATIONS AND PENALITIES/FINES.**

##### **A. Examples of Unlawful Activities.**

- 1. The use of receptacles for Honey Bees that does not comply with the Pennsylvania Bee Law, 3 Pa. C.S.A §2101 *et seq.*, as amended.
- 2. Hive placement and related bee movement such that the bees, without provocation, interfere with the reasonable freedom of movement of persons in a public right-of-way, or the location of bees have a proven impact to the general safety, health, and welfare of the general public.

**B. Violations.**

1. **Notice of Violation.** The Borough, including but not limited to its Code Enforcement Officer, Zoning Officer, Mayor, Manager, or Solicitor shall give notice if there are any alleged violations of this Ordinance. Notice shall be provided to the Property owner.

a. **Contents of Notice.** A notice shall set forth:

- i. A factual description of the violation that would enable the Person who received the notice to discern what activities, behavior or conduct are being referenced.
- ii. A reference to the section of the Ordinance or applicable law that is being violated.
- iii. A demand that the matter be addressed promptly, but in no event exceeding twenty (20) days following receipt of the notice.
- iv. The date of the notice's issuance.

b. **Service of Notice.** Notice shall be served on the Person in one of the following manners:

- i. By making personal delivery of the notice on the Person;
- ii. By handing a copy of the notice at the Property of the Person to an adult member of the family with which the Person resides, but if no adult family member is found, then to an adult Person in charge of such residence;
- iii. By fixing a copy of the notice to the door to the entrance of the Property in violation; or
- iv. By mailing a copy of the notice to the last known address of the Person by certified mail.

c. **Compliance.** The recipient of such notice shall comply fully with the terms of the notice, with all materials to be supplied and work to be done at the Person's expense. If the Borough Council or its authorized agent, determines that a violation of this Ordinance constitutes an emergency, requiring immediate corrective measures, then such notice shall require the Person to immediately comply with the terms of the notice.

- d. **Subsequent Violations.** No Person shall be entitled to written notice for any subsequent violations of the same provision of this Ordinance that occurs within three hundred sixty-five (365) days of the first notice. The first notice shall be deemed to be ongoing for any violations within that time period, and the Borough may proceed immediately with enforcement.

### C. Penalties and Fines.

1. Any Person who fails to comply with any or all of the requirements or provisions of this Ordinance or who fails or refuses to comply with any notice, order of direction of the Borough shall be liable and/or guilty for a violation of this Ordinance and shall be assessed a penalty and/or fine in the amount of \$600.00 per violation, which must be paid to the Borough.
2. A separate violation shall arise for each day that the violation persists. A separate violation shall arise for each applicable section, or subsection, of the Ordinance that is violated.
3. If an enforcement proceeding is necessary to effect the terms of this Ordinance and upon entry of judgment therein, any Person found to be in violation of this Ordinance shall also be responsible for interest, court costs, and reasonable attorney fees incurred by the Borough.
4. In addition to the above remedies, all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance.
5. The imposition of a penalty or fine for any violation of, or noncompliance with this Ordinance shall not excuse the violation or noncompliance or permit it to continue. All such Persons shall be required to correct or remedy such violations and noncompliance within a reasonable amount of time.

### D. Appeals.

1. Any Person aggrieved by a decision of the Borough with regard to this Ordinance may take an appeal in accordance with the Local Agency Law (2 Pa. C.S.A. § 551, *et. seq.*).

**SECTION 9: SEVERABILITY.** The provisions of this Ordinance are severable. In the event that any provision, section, sentence, clause, or part of this ordinance shall be held to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, section, sentence, clause, or part of this Ordinance. It is hereby declared to be the intent of this Borough that such remainder of the Ordinance shall be and shall remain in full force and effect.

**SECTION 10: EFFECTIVE DATE.** This Ordinance shall be effective five (5) days after enactment.

**ENACTED AND ORDAINED** this 10<sup>th</sup> day of September 2025.

**Attest:**

**SHREWSBURY BOROUGH COUNCIL**

*Cindy E. Bosley*  
Cindy E. Bosley, Secretary

By: *Mark Beran*  
Mark Beran, President

**APPROVED** this 10<sup>th</sup> day of September 2025.

By: *Jessica E. Fisher*  
Mayor