

**AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER 203-62 ENTITLED  
"LIVESTOCK, ANIMALS AND FOWL" TO DELETE THE REFERENCE TO BEES**

**2023-24**

**WHEREAS**, N.J.S.A. 40:48-1.5 provides in part that no municipality may adopt an ordinance, resolution, rule or regulation concerning the breeding or keeping of honey bees or any activities related thereto; and

**WHEREAS**, Chapter 203-62 B.(1) of the Code of the Township of Woolwich reads as follows:

The keeping of livestock, animals and fowl shall be subject to the following special requirements:

**(1)**

Livestock, poultry, rabbits, bees and domestic pets may be kept by the resident on the premises where he resides, provided that said activities are primarily for personal, noncommercial purposes and said premises, exclusive of the residence portion, have a lot area of not less than two acres. The number of livestock per acre (exclusive of a minimum area of one acre devoted to residential use) shall not exceed one adult horse or cattle or two adult sheep or goats with their young under six months of age. Kennels are prohibited; and

**WHEREAS**, local bee keeping Ordinances are preempted by State Law;

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Woolwich as follows:

**SECTION I AMENDMENT**

Chapter 203-62 Section B.(1) of the Code of the Township of Woolwich be and is hereby amended to delete the word "bees".

**SECTION II INCONSISTENCY**


All Ordinances or parts of Ordinances that are inconsistent with the terms of this Ordinance are hereby repealed to the extent of their inconsistency.

**SECTION III Effective Date**

This Ordinance shall take effect immediately upon proper passage, publication in accordance with law and after final adoption as provided by law.

TOWNSHIP OF WOOLWICH


Attest:

  
Jane DiBella, Clerk

  
Craig Frederick, Mayor

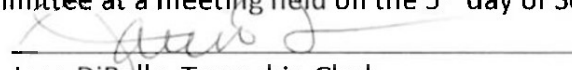
CERTIFICATION

The foregoing ordinance was introduced upon first reading by the Township Committee of the Township of Woolwich at a regular meeting held on the 21<sup>st</sup> day of August, 2023. It will be further considered for final adoption upon a second reading and subsequent to a public hearing to be held on such ordinance at a meeting of the Township Committee at which time any interested person(s) may be heard. Said meeting to be conducted on the 5<sup>th</sup> day of September, 2023 at the Woolwich Township Municipal Building, 120 Village Green Drive, Woolwich Township, New Jersey, beginning at 6:30 p.m.

  
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Jane DiBella, Township Clerk

NOTICE OF ADOPTION

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Woolwich Township Committee at a meeting held on the 5<sup>th</sup> day of September, 2023.

  
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Jane DiBella, Township Clerk

2023-24



# State of New Jersey

DEPARTMENT OF AGRICULTURE  
PO Box 330  
TRENTON, NJ 08625-0330

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

JOSEPH ATCHISON III  
*Assistant Secretary*

July 14, 2023

The following statement is from the New Jersey Department of Agriculture Division of Plant Industry. It is intended to provide important information to municipal officials throughout New Jersey, including town chief executive officers/administrators, municipal council/legislative body members who have authority over the adoption and repeal of ordinances, and other municipal officials responsible for the enforcement of local ordinances.

## **Municipal Regulation of Beekeeping Activities is Prohibited**

It has recently come to the attention of the New Jersey Department of Agriculture (NJDA) that some New Jersey municipalities have local ordinances that prohibit, restrict, or otherwise regulate apiaries and beekeeping activities throughout their town or in certain parts of their town (for example, in residential areas). Local beekeeping ordinances are not allowed. They are preempted by State law.

N.J.S.A. 40:48-1.5 provides, in pertinent part:

a. Except as otherwise provided in subsections b. and c. of this section, **no municipality may:**

**(1) adopt an ordinance, resolution, rule, or regulation concerning the breeding or keeping of honey bees or any activities related thereto**, including, but not limited to, the use of honey bees for pollination, the reproduction and sale of honey bees, or the production of honey or other apiary products from such bees; or

**(2) establish any restriction or requirement that would result in the prohibition of the breeding or keeping of**

**honey bees**, the use of honey bees for pollination, or any activities related thereto, in the municipality. (Emphasis added.)

State law gives exclusive authority over the regulation of beekeeping activities to the NJDA; see N.J.S.A. 4:6-24 and 40:48-1.5; and the NJDA has established statewide apiary standards by regulation in N.J.A.C. 2:24-7. The NJDA may delegate its authority to monitor and enforce those NJDA apiary standards to a municipality if the municipality has adopted by reference the Department's regulations at N.J.A.C. 2:24 "Diseases of Bees and Beekeeping Activities." See N.J.S.A. 40:48-1.5(b); N.J.A.C. 2:24-7.4. However, that delegated authority does not permit a municipality to change the statewide standards established by the NJDA regulations that govern apiaries and beekeeping activities or to otherwise affect NJDA's jurisdiction over apiary registration and the denial or revocation of apiary registration.

If you have any questions, contact the NJDA Division of Plant Industry at 609-406-6939.