

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENTS
Round 20, Item B (Beekeeping)
Town Council Meeting
October 11, 2012

EXECUTIVE SUMMARY

The purpose of this item is to consider a proposed amendment to the Land Development Ordinance, prepared in response to citizen inquiries and at the direction of Town Council. The proposed amendment has been developed and evaluated for consistency with the Comprehensive Plan, and the opportunity for public review and comment has been provided in accordance with Section 3.4 of the Land Development Ordinance.

The Town's Land Development Ordinance currently only references bees and beekeeping in referring to bees and beekeeping products in the definition of "Agricultural Products" as "a product obtained primarily through farming." Farming is only allowed as a land use in the R-80, R-40, R-20 and I zoning districts.

A proposed LDO amendment to address beekeeping on residential lots in other zoning districts was presented for public hearing on February 23, 2012. In response to citizen comments expressed at the hearing, Town Council directed staff to meet with local beekeeping experts and develop a minimally restrictive proposal as to how beekeeping might appropriately occur in Cary. After meeting with a group of selected beekeeping experts, the staff prepared a revised ordinance for consideration. A public hearing on the revised proposal was held on July 26, 2012. The Planning and Zoning Board discussed the amendment at its work session on July 30, 2012. Additional revisions to the draft text were made after the work session, in response to feedback received from local beekeeping experts. The Planning and Zoning Board recommended approval of the proposed amendment by a vote of 7-1 at its meeting on August 20, 2012.

OVERVIEW

SCHEDULE

Planning and Development Committee	January 19, 2012
Advertisements in <i>The Cary News</i>	July 11, 2012 July 18, 2012
Public Hearing	1 st : February 23, 2012 2 nd : July 26, 2012
Planning and Zoning Board Work Session	July 30, 2012
Planning and Zoning Board Meeting	August 20, 2012
Final Action by Town Council	October 11, 2012
Effective	October 11, 2012

SUMMARY OF PROPOSED AMENDMENT

Land Development Ordinance Amendments

The current proposal would allow beekeeping as an accessory use for single-family-detached dwellings in residential zoning districts, and in PDD and MXD districts. Key standards would include:

- 10-foot setback from property lines for beehives (recommended by staff) or lesser setback if fence or building forms barrier along property line (alternative text for consideration)
- Minimum lot size requirement of 6,000 square feet, and density of up to two (2) hives for the first 20,000 square feet of lot area, plus the opportunity to have one (1) additional hive for each additional 10,000 square feet of lot area, up to a maximum of eight (8) hives;

- Required provision of an on-site water supply; and
- Issuance of an accessory use permit.

A summary comparison of the original Town staff proposal and the Town staff's revised proposals are as follows:

Potential Regulatory Attribute	Original Staff Proposal 2/23/2012	Revised Staff Proposal 7/26/2012	Revised Staff Proposal 8/20/2012
Minimum Lot Size	30,000 SF	6,000 SF	6,000 SF
Maximum Number of Hives Based on Lot Size	1 per 10,000 SF (Max of 8)	1 per 10,000 SF (Max of 8)	2 for a lot area of 6,000 to 20,000 SF; plus 1 per each additional 10,000 SF (Max of 8)
Fencing of Flyways	Yes, if hive within 50' of property line	No	Recommendation: No <i>(See below for alternative below related to setbacks)</i>
Setbacks	25'	10'	Recommendation: 10' <i>Alternative text provided to reduce or eliminate setback where fence or building forms solid barrier</i>
Water Supply	Yes	Yes	Yes
Inspection	No	No	No
Accessory Use Permit	Yes	Yes	Yes

Town Code of Ordinances

Several sections of the Town Code of Ordinances would also be revised to address nuisances that may result from beekeeping and provide options for abating such nuisances.

KEY ISSUES

Bees and Swimming Pools/Off-Site Water Sources

Having a reliable water source is important for bees, and once they find a reliable water source they typically remember their flight pattern to that source. Thus, it is important to have an adequate on-site water source, as required in the proposed LDO amendment, so that bees do not congregate at off-site water sources such as swimming pools, ponds, or other water features located nearby. As an additional measure, the Town could require minimum distances between beehives and off-site swimming pools or other off-site water sources. However, there are significant practical difficulties in enforcing such a setback provision. For example, a neighboring property owner could install a swimming pool after the beehive was established which could render the beekeeping activity non-conforming.

If bees do congregate at an off-site swimming pool or other off-site water source, there appear to be potential methods beekeepers can use to return the bees to their hive and on-site water source. For example, one potential solution observed during staff's research was the possibility of capturing the bees at the off-site swimming pool, and then introducing them to a new on-site water source next to their hive, in an effort to retrain them to use a different (and more appropriate) water source. There are obviously practical challenges for a beekeeper attempting to conduct such an extensive effort however, especially on someone else's property.

Accordingly, while we appreciate that beekeeping could potentially be problematic for swimming pool owners; we do not have a documented zoning solution to help remedy this situation at this time.

Permits and Fees

As has been proposed with backyard chickens, staff proposes that an Accessory Use Permit also be required for this use. From a procedural standpoint, property owners will submit the Accessory Use Permit application and associated fee to the Town for review and approval prior to initiating beekeeping activity on a property. Fees are established by council as part of the annual budget and are not included in the actual ordinance language. This one-time fee is proposed to be \$50 per application. No reoccurring fees are being recommended for this activity.

Compliance and Enforcement

To minimize staffing impacts, an inspection of the proposed site for beekeeping will not typically be conducted by the Town of Cary as part of the permitting process unless the review of the permit indicates the need to verify information. The Town will inspect and determine compliance with the ordinance on a complaint basis or if staff observation indicates that a violation may be occurring.

Responding to citizen complaints regarding instances where beekeeping is potentially causing a public nuisance, is proposed to be through Police and Animal Control staff since such complaints could necessitate an immediate response seven days a week. Procedures for addressing nuisance bees would be addressed in associated revisions to the Town's Code of Ordinances. Implementation challenges include:

- confirming (after-the-fact) that the stinging insect was indeed a honey bee and not another stinging insect (hornet, yellow jacket, wasp, etc.), or a wild honey bee;
- verifying that the bees causing the alleged nuisance are indeed the same bees that may live in a nearby hive; and
- determining the threshold beyond which bee activity is a nuisance (individual bee stings, or a few bee stings are not deemed to be a nuisance).

In instances where a nuisance is documented (multiple stings, aggressive swarming, or bees generally behaving in a manner to molest others and pose a threat to the health, safety and welfare of the general public), Police and Animal Control staff will attempt to work with the identified owner of the bees to abate the situation. In the event that the owner is not available or refuses to help abate the situation, or in the event the nuisance must be immediately abated, staff will seize and relocate the bees with the assistance of volunteers from local or state beekeeping associations and/or by contracting with pest control service providers, depending on the timing and urgency of the situation.

FISCAL IMPACT

Staff Resources

Police and Planning Department staff members believe that implementation would generate modest but noticeable increased demands on both departments. Planners, Zoning Compliance Officers, Police Officers, and Animal Control Officers will need to respond to inquiries, administer the submission and review of applications for permits, track and monitor permits, conduct field inspections, and investigate complaints. If the proposed amendment is adopted, staff would monitor the new activities closely and identify any future staffing needs based on actual demand.

Contracting Expenses

There may also be specific costs associated with responding to nuisance calls (contracting expenses for pest control services, exterminators, etc.). We are proposing that the owner of the bees would be responsible for such costs, although if such costs are not able to be collected from the owner, then these costs would be the responsibility of the Town and would be an additional expense that would need to be incorporated into future Police Department budgets.

STAFF RECOMMENDATION

1. Staff recommends that the Town Council approve LDO Amendment Round 20, Item B, including Option 1, which would require a 10-foot setback for beehives.
2. Staff recommends that the Town Council approve Option A or Option B related to consistency and reasonableness of the proposed amendment as stated below:

Option A *(recommended if the proposed LDO amendment is approved):*

CONSISTENCY AND REASONABLENESS STATEMENT

LDO Amendment Round 20, Item B (Beekeeping)

THE TOWN COUNCIL OF THE TOWN OF CARY HEREBY STATES:

Section 1: LDO Amendment Round 20, Item B is consistent with the Comprehensive Plan.

Section 2: Based upon information presented at the public hearings, and based upon the recommendations and detailed information developed by staff and/or the Planning & Zoning Board contained in the staff report, and considering the criteria of Section 3.3.3 of the Town of Cary Land Development Ordinance, LDO Amendment Round 20, Item B, is reasonable and in the public interest.

Approved: October 11, 2012

Harold Weinbrecht, Jr.
Mayor

Date

Option B *(recommended if the proposed LDO amendment is denied):*

CONSISTENCY AND REASONABLENESS STATEMENT

LDO Amendment Round 20, Item B (Beekeeping)

THE TOWN COUNCIL OF THE TOWN OF CARY HEREBY STATES:

Section 1: LDO Amendment Round 20, Item B is consistent with the Comprehensive Plan.

Section 2: Based upon information presented at the public hearings, and based upon the recommendations and detailed information developed by staff and/or the Planning & Zoning Board contained in the staff report, and considering the criteria of Section 3.3.3 of the Town of Cary Land Development Ordinance, denial of LDO Amendment Round 23, Item B is reasonable and in the public interest.

Approved: October 12, 2012

Harold Weinbrecht, Jr.
Mayor

Date

SUMMARY OF PROCESS AND ACTIONS TO DATE

Initiation of Amendment

During the summer and fall of 2011, several citizens expressed concern regarding situations where beekeeping was occurring on smaller lots in R-12 and R-8 zoning districts. Upon investigating, we determined that these situations were instances where beekeeping was being conducted as a hobby and not for the purpose of producing any agricultural products. Since the Ordinance currently only addresses beekeeping in the context of farming and the production of agricultural products, we believe that it would be helpful to revise the Ordinance to include beekeeping as a land use and to clearly identify where and under what conditions this activity may occur.

Recognizing that beekeeping provides a valuable service to the natural environment, but also acknowledging that beekeeping activity on smaller lots is more likely to create issues for neighbors, staff originally sought to provide opportunities for this activity to occur on lots that are 30,000 square feet or larger in size, while minimizing the likelihood for adverse impacts on adjoining property through several use-specific standards.

Town Council Public Hearing – February 23, 2012

An advertised public hearing was conducted by the Town Council on February 23rd. At the public hearing, one property owner expressed concern with the presence of beehives on an adjoining property and the potential for allergic reactions to bee stings. The vast majority of the input received at the public hearing however, was from beekeeping proponents and experts opposed to the extent of the proposed regulation, particularly the proposed 30,000 minimum square-foot lot size. In response to citizen comments at the public hearing, the Town Council directed staff to meet with beekeeping experts, and develop a less restrictive ordinance amendment proposal.

Meeting with Beekeeping Experts

On April 3, 2012, Town staff met with five (5) of the citizens who spoke at the public hearing on February 23, 2012. These selected beekeeping experts represented the Wake County Beekeeping Association, the North Carolina State Beekeeping Association, and also included a member of the North Carolina State University faculty as well as an Entomologist who is a Cary resident.

Although these citizens brought a variety of experiences and perspectives to the table, they generally agreed with and supported the common theme of minimizing regulations. The beekeeping experts noted that the entry barriers to beekeeping are fairly high as there are significant start-up costs, and there is a lot of complexity associated with successfully starting up a hive. The beekeeping experts also noted that there are many professional beekeepers, as well as the members of the Wake County and North Carolina Beekeeping Associations, who are willing to provide voluntary assistance to help other beekeepers when problems and/or nuisance issues arise.

Independent of the proposed ordinance changes, the group of beekeeping experts also expressed support for the provision of an introductory beekeeping class that volunteers would teach once or twice a year to help educate other citizens interested in beekeeping, as well as provide information to citizens who just want to learn more about bees.

Citizen Complaints During the Spring of 2012

Three (3) citizens have contacted planning staff since the initial public hearing with complaints related to beekeeping. One citizen had experienced four (4) recent swarms from a neighbor's beehive, and as a result has decided to sell her home and move. The other two had experienced bees from a neighbor's beehive congregating at their swimming pools.

Planning and Zoning Board Work Session - July 30, 2012

Staff reviewed the background regarding the proposed amendment, summarized the history of developing the draft ordinance and reviewed issues and concerns raised at the public hearing before Town Council.

Dr. John Ambrose, a beekeeping expert with North Carolina State University, provided the board with some general information about beekeeping. This information focused on three areas: the value of bees; likelihood of stinging; and preparation on becoming a beekeeper. He also explained swarming.

The Planning and Zoning Board asked questions regarding the minimum lot size specified in the draft ordinance, and about beekeeping ordinances from other municipalities. The board discussed a recommendation from Dr. Ambrose that at least two hives be allowed on lots between 6,000 and 20,000 square feet in area (Town staff subsequently received written comments from Dr. Ambrose after the work session regarding the benefits of two hives versus one). The board also discussed the possibility of allowing beekeeping in multi-family zoning districts in the future. There was additional discussion regarding whether or not education or certification for beekeepers should be required. In addition, one member expressed an opinion that beekeeping should be handled as a nuisance issue.

Based on the council's request, the board also discussed the issue of whether or not to allow beekeeping in parks and community gardens. Dr. Ambrose noted that while such areas are very desirable for bees to frequent, it is often safer to locate the bee hives on private property in close proximity to such areas where they are more likely to be monitored on a regular basis by a beekeeper, and where they are also less prone to potential abuse or vandalism. Some board members also expressed concerns about placing hives in areas likely to be frequented by the public, especially younger children.

The board provided staff with the following direction regarding the proposed ordinance:

- Allow the opportunity for up to two hives on lots 6,000 to 20,000 square feet in area.
- Require a minimum lot size of 6,000 square feet for beekeeping activities.
- Do not allow beekeeping in parks and community gardens.

Changes Since Planning and Zoning Board Work Session

Based on direction and input from the Planning and Zoning Board at the work session, staff incorporated the following changes into the proposed text:

- 1) specify a minimum lot size of 6,000 square feet for beekeeping; and
- 2) allow two hives where lot size is between 6,000 and 20,000 square feet

Based on comments received after the work session from Dr. Ambrose, staff also clarified definitions for beekeeping and bees in the LDO and Code of Ordinances, and eliminated references to "swarming in an aggressive manner" in Section Sec. 6-71a (*Nuisance Bees*) in the Code of Ordinances.

Based on comments received from Bill McClelland, entomologist and beekeeper, staff prepared a 2nd option for proposed section 5.3.4(O)(3) related to setbacks for hives. Due to implementation and enforcement issues that would arise with more complex regulations concerning the siting of hives, staff continues to recommend that all hives be located at least 10 feet from a property line. However, an option that would allow hives to be closer to a property line in some cases has been prepared as an alternative in the event that greater flexibility in hive placement is desired.

Planning and Zoning Board Meeting - August 20, 2012

The Planning and Zoning Board recommended approval of the proposed amendment, including Option 1, requiring a 10-foot setback for beehives, by a vote of 7-1.

PROPOSED LAND DEVELOPMENT ORDINANCE TEXT REVISIONS

TABLE 5.1-1: TABLE OF PERMITTED USES - GENERAL USE DISTRICTS (EXCEPT TC & CT)
P = Permitted Use; S = Special Use (see Section 3.8); A = Accessory Use
Use Class is listed for determining the type of required perimeter buffers, and is repeated in Section 7.2

Use Category	Use Type and [Use Class]	RESIDENTIAL							NON-RESIDENTIAL				MIXED USE OVERLAY DISTRICT			Use-Specific Stds	
		R80	R40	R20	R12	R8	TR	RMF	RR	OI	GC	ORD	I	NC	CC		RC
ACCESSORY USES																	
<u>Accessory Uses</u>	<u>Beekeeping</u>	A	A	A	A	A	A							A	A	A	<u>5.3.4(O)</u>

TABLE 5.1-2: TABLE OF TOWN CENTER (TC) DISTRICT USES
P = Permitted Use; S = Special Use (see Section 3.8); A = Accessory Use

Use Category		HMXD	MXD	HDR Mid-Rise	MXDR	HDR Garden	MDR	LDR	LDR-12	CB&R	COM	CLI	OFC/INS	INS	OFC/IND	Use Specific Stds
<u>Accessory Uses</u>	<u>Beekeeping</u>						A	A	A	A						<u>5.3.4(O)</u>

5.3.4 ACCESSORY USES AND STRUCTURES - Accessory Uses and Structures Allowed

(O) Domestic Beekeeping

Domestic beekeeping shall be permitted as an accessory use in conjunction with detached, single-family residential uses in the R-80, R-40 R-20, R-12, R-8, TR, TC-MDR, TC-LDR, TC-LDR-12, TC-CB&R, PDD and MXD zoning districts. Such use shall only occur in accordance with the following:

- (1) The maximum number of beehives allowed is one per 10,000 square feet of lot area, or portion thereof, not to exceed a total of eight beehives. The minimum lot size required for beekeeping shall be 6,000 square feet.
- (2) The maximum number of hives allowed shall be determined based on lot size as follows:

<u>Lot Area (square feet)</u>	<u>Maximum Number of Hives Allowed</u>
<u>6,000 – 20,000</u>	<u>2</u>
<u>20,001 – 30,000</u>	<u>3</u>
<u>30,001 – 40,000</u>	<u>4</u>
<u>40,001 – 50,000</u>	<u>5</u>
<u>50,001 – 60,000</u>	<u>6</u>
<u>60,001 – 70,000</u>	<u>7</u>
<u>70,001 or Larger</u>	<u>8</u>

(3) Option 1: (Recommended by Staff)

No hive shall be established or kept within 10 feet of a property line.

OR

Option 2: (Alternative for Additional Flexibility Adjacent To Barrier)

No hive shall be established or kept within 10 feet of a property line except where a 6-foot high solid fence or building is located between the hive and property line or along the property line, and such fence or building extends at least five feet in both directions from hive along the property line.

(4) A constant and adequate on-site source of fresh water shall be provided, and shall be located closer to the hive than any water source on adjacent property.

(5) An accessory use permit must be secured in accordance with Section 3.5. The permit application must include a plot plan that indicates the number of beehives, shows the location of the each beehive and water source(s), and their respective distances from property lines.

(6) In the event that a nuisance is not abated in accordance with Town Code Section -71a (Nuisance Bees) and no final appeal is made, then the Planning Director may revoke the owner's Accessory Use Permit, and the owner shall be unable to reapply for another Accessory Use Permit for Domestic Beekeeping for a period of twelve (12) months. The owner may appeal revocation of the Accessory Use Permit to the Zoning Board of Adjustment pursuant to Section 3.21 of the Land Development Ordinance.

12.3.4 RULES OF CONSTRUCTION, USE CLASSIFICATIONS, AND DEFINITIONS - Commercial Uses

(A) Agricultural Uses

Activities that primarily involve raising, producing, or keeping plants or animals, or cultivation and management of other natural resources. Accessory uses may include dwellings for proprietors and employees, barns, storage of grain, animal raising, feed preparation, and wholesale sales of products produced on-site. Specific use types include:

(2) Farming, General

An area of land used for the commercial production of agricultural products such as crops, dairy products, livestock, ~~and~~ poultry, and beekeeping products.

12.4 OTHER KEY TEMS DEFINED

Agricultural Products

Products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products; including Christmas trees, firewood, and pinestraw; bees and beekeeping products; seafood; and dairy products.

Domestic Beekeeping

The care, ~~and~~ manipulation, and management of all life-stages of the honey-producing insects of the genus and species *Apis mellifera* for non-commercial purposes.

Sec. 6-3. Definitions.

For the purposes of this chapter, the following words and phrases are defined and shall be construed as set out below, unless it is apparent from the context that a different meaning is intended:

* * *

Bees means all life-stages of the honey-producing insects of the genus ~~and species~~ *Apis mellifera* that are kept, and manipulated, and managed for commercial or non-commercial purposes.

Sec. 6-71a.Nuisance Bees.

(a) Prohibited generally; exceptions. It shall be unlawful for any person to own, keep, possess, harbor or maintain bees or beehives in such a manner as to unreasonably annoy humans, endanger the life or health of persons or animals, or substantially interfere with the rights of citizens (other than their owners) to enjoyment of life or property, or otherwise constitute a public nuisance. By way of example and not of limitation, the following activities are hereby declared to be a public nuisance and are, therefore, unlawful:

~~(1) Swarming in an aggressive manner that molests pedestrians, bicyclists, motor vehicle passengers or domestic animals;~~

(1) (2) Multiple bees stinging, attacking, or otherwise molesting others including, pedestrians, bicyclists, motor vehicle passengers, or domestic animals;

(2) (3) Hive placement and related bee movement such that the bees, without provocation, interfere with the freedom of movement of persons in a public right of way, or the location of the bees poses a threat to the general safety, health and welfare of the general public; or

(3) (4) The keeping of overcrowded, diseased or abandoned hives.

(b) Complaint and notice. Upon their own initiative or upon receipt of a detailed written and signed complaint being made to the animal control unit by any of the town residents that any person is maintaining nuisance bees, the animal control unit may cause the owner of the bees in question to be notified that a complaint has been received, or take immediate action to abate the nuisance if deemed necessary.

(c) Abatement. If investigation of the investigating animal control officer indicates that the complaint is justified, but that action by town staff to immediately abate the nuisance is not deemed necessary, then the chief or designee shall cause the owner or keeper of the bees in question to be so notified and ordered to abate such nuisance and may issue a citation for the violation. However, if immediate abatement of the nuisance is deemed necessary, then the investigating animal control officer may cause the bees and/or hive in question to be seized and relocated, or if the nuisance bees and/or hive cannot be reasonably seized and relocated, the animal control officer may cause them to be destroyed in the field. In such instances, the owner of the bees shall be responsible for any costs incurred to effectuate the seizure, relocation, or destruction of the bees and/or hive.

(d) Seizure and relocation upon failure to abate. If any person actually or constructively receiving notice in the manner herein described shall fail or refuse to abate the nuisance upon order of the chief within the specified time, the chief may cause the domesticated bees and/or hive in question to be seized and relocated. In such

instances, the owner of the bees shall be responsible for any costs incurred to effectuate the seizure and relocation of the bees and/or hive.

- (e) Notice to owner.** Upon seizing bees and/or their hive, the animal control officer shall cause a prompt and reasonable effort to be made to locate and notify the owner of the bees, if the owner is known or reasonably ascertainable. A notice of seizure shall be left with the owner or affixed to the premises of the owner, if the owner is known or reasonably ascertainable.
- (f) Redemption; destruction.** If the owner shall so request in writing within five days of the seizure of the bees and/or hive, the bees and/or hive that have been seized and relocated may be redeemed upon the owner's execution of a written agreement to comply with the abatement order and payment of all sums due hereunder. If no such written request is made, or if such a request is made, but a written agreement to comply with the abatement order is not delivered to the chief within five days of the seizure, then the bees and hive shall be deemed abandoned and shall be destroyed in a humane manner, or become the property of a member of a legitimate beekeeping association provided that bees are maintained in compliance with the provisions of this Chapter and provisions related to beekeeping found in the Town of Cary Land Development Ordinance.
- (g) Revocation of Accessory Use Permit.** In instances where the owner fails or refuses to abate the nuisance within the specified time, and has not appealed pursuant to section 6-139, the Planning Director may revoke the owner's Accessory Use Permit, and the owner shall be unable to reapply for another Accessory Use Permit for beekeeping for a period of twelve (12) months.

Sec. 6-27. General responsibilities of unit; personal liability of municipal officers, agents, employees.

- (a) *Duties of unit.*** The animal control unit is charged with the following:
- (1) Enforcing and carrying out within the town the provisions of this chapter, any other ordinance assigning animal control duties, and all relevant state laws, and cooperating with the Wake County health department and other law enforcement agencies in so doing;
 - (2) Canvassing the town, including dwellings, businesses and institutions in the town as necessary and practical, for the purpose of ascertaining that all dogs and cats in the town are duly licensed and adequately inoculated against rabies, and for the purpose of ascertaining compliance with this chapter and state statutes. In addition, employees may scan the animal and utilize any information that may be available through a microchip to locate the owner of the animal, if possible.
 - (3) Investigating complaints with regard to animals or bees covered by this chapter and protecting animals from cruelty or abuse;
 - (4) Coordinating with the town finance division in receiving applications for and issuing licenses for all dogs and cats;
 - (5) Seizing, relocating and/or impounding, when necessary, any animals or bees in the town involved in a violation of this chapter or any other ordinance or state law;
 - (6) Going upon private property, and seizing animals or bees on public or private property pursuant to the provisions of this chapter, state statute or with the consent of an owner or occupant of the property; as evidence; by criminal or administrative warrant; or by order of a court of competent jurisdiction of this state;

- (7) Keeping, or causing to be kept, accurate records of seizures, relocations, impoundments, dangerous animals, disposition of animals or bees coming into the custody of the animal control unit, bite cases, violations, complaints, investigations and monies collected;
- (8) Issuing citations and orders and assessing civil penalties for violations of this chapter and when authorized by law.

Sec. 6-139. Appeals.

- (a) **Appeals.** Any person, owner, or possessor affected by any ruling or action taken by animal control with regards to any of the following may request a review of such action by filing a request for appeal with the town manager:
 - (1) Seizing, relocating and impounding an animal or bees, unless said seizure was authorized by a judicial official.