

Township of New Hanover
County of Burlington
State of New Jersey

Resolution Number 2018-38

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF
NEW HANOVER TOWNSHIP CONCERNING
DRAFT BEEKEEPING REGULATIONS

WHEREAS, by way of P.L.2015, Chapter 76 c. 40:48-1.5, the New Jersey Legislature, in an effort to support beekeeping, adopted a statute that preempts adoption of local municipal standards concerning the breeding or keeping of honey bees or any activities related thereto; and

WHEREAS, the new law provides for adoption by the New Jersey Department of Agriculture of Regulations creating standards to implement the Departments' responsibility to regulate apiary activities; and

WHEREAS, the new law allows the Department of Agriculture to delegate enforcement of its new regulatory authorities to municipalities that adopt the Department's standards by reference; and

WHEREAS, by way of a Rule Proposal dated November 20, 2017, cited as 49 N.J.R. 3565 the Department of Agriculture has published draft Regulations seeking to implement its new authorities under P.L.2015, Chapter 76 c. 40:48-1.5; and

WHEREAS, the Township Committee of the Township of New Hanover, having reviewed the draft Regulations wishes to express its views concerning those Regulations to the Department of Agriculture and State Board of Agriculture; and

WHEREAS, the Township Committee finds that the standards in the draft Regulations would impose extreme and unnecessary restrictions on the keeping of honeybees within the Township of New Hanover; and

WHEREAS, the Township Committee finds that the extreme and unnecessary restrictions on the keeping of honeybees would have a negative social, economic and environmental impact on New Hanover Township whose residents enjoy local honey produced by our beekeepers and appreciate the pollination services provided by local beekeepers to local gardens, farms, parks and wildlife habitats; and

WHEREAS, Township Committee finds that the waiver provisions set forth in the draft regulations would be

unworkable due to vague definitions and the lack of a local funding mechanism for conducting waiver hearings; and

WHEREAS, the Township Committee finds that as-of-right hive location standards are so extremely restrictive that there would be an unmanageable flood of waiver applications that would make local administration of the waiver hearings an unwelcome burden on the municipality; and

WHEREAS, the Township Committee finds that the draft Regulations are so profoundly flawed that mere editing will not rescue them from inflicting unnecessary damage to our community;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of New Hanover Township as follows:

A. The Committee recommends that the draft Regulations should be entirely withdrawn.

B. The Committee recommends that a new drafting effort be initiated that includes experts on agriculture, bees and beekeeping, municipal law, municipal planning, and municipal land use regulation.

C. That the Township Committee has determined that New Hanover Township will not adopt by reference or undertake to be the enforcing agency for such profoundly flawed regulatory standards.

BE IT FURTHER RESOLVED by the Township Committee of New Hanover Township that the Township Administrator shall forward a copy of this Resolution to the New Jersey Department of Agriculture within ten (10) days of the adoption of this Resolution.


Dennis Roohr, Mayor

I, Adel Gianaris, Acting Township Clerk of the Township of New Hanover, do hereby CERTIFY that the foregoing Resolution was duly adopted by the New Hanover Township Committee at a meeting held on the 20th day of February, 2018.


Adel Gianaris, Deputy Township Clerk

Record of Vote

	Moved	Second	Yes	No	Abstained	Absent
Koshak	✓		✓			
Murphy			✓			
Peterla		✓	✓			
Rigney			✓			
Roohr			✓			