

**Chapter 15.60 RCW
APIARIES**

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Honey, standards and marketing: Chapter 69.28 RCW.

Honey bee commission: Chapter 15.62 RCW.

RCW 15.60.005 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the state department of agriculture or the director's authorized representative.

(3) "Apiary" means a site where hives of bees or hives are kept or found.

(4) "Apiarist" means any person who owns bees or is a keeper of bees in Washington.

(5) "Bees" means adult insects, eggs, larvae, pupae, or other immature stages of the species *Apis mellifera*.

(6) "Colony" refers to a natural group of bees having a queen or queens.

(7) "Hive" means a manufactured receptacle or container prepared for the use of bees, that includes movable frames, combs, and substances deposited into the hive by bees.

(8) "Person" means a natural person, individual, firm, partnership, company, society, association, corporation or every officer, agent, or employee of one of these entities.

(9) "Broker" means a person who is engaged in pollinating agricultural crops for a fee using hives that are owned by another person. [2000 c 100 § 1; 1994 c 178 § 1; 1993 c 89 § 1; 1988 c 4 § 1; 1977 ex.s. c 362 § 1; 1961 c 11 § 15.60.005. Prior: 1955 c 271 § 1.]

RCW 15.60.010 Apiary advisory committee. The director may establish an apiary advisory committee including members representing the major segments of the apiary industry including commercial and noncommercial beekeepers, representatives from the Washington State University apiary program or cooperative extension, and receivers of pollination services as deemed appropriate.

The committee shall advise the director on administration of this chapter and issues affecting the apiary industry. The committee may also advise the director on the funding of research projects of benefit to the apiary industry.

The committee shall meet at the call of the director. Members of the committee shall serve without compensation but may be reimbursed for travel expenses incurred in attending meetings of the committee and any other official duty authorized by the director, pursuant to RCW 43.03.050 and 43.03.060. [2000 c 100 § 2; 1994 c 178 § 3; 1993 c 89 § 3; 1975-'76 2nd ex.s. c 34 § 16; 1961 c 11 § 15.60.010. Prior: 1933 ex.s. c 59 § 1; RRS § 3170-1; prior: 1919 c 116 § 1.]

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 15.60.021 Registration of hives. (1) Each person owning one or more hives with bees, brokers renting hives, and apiarists resident in other states who operate hives in Washington shall register with the director by April 1st each year.

(2) The registration application shall include:

(a) The name, address, and phone number of the apiarist or broker;

(b) The number of colonies of bees to be owned, brokered, or operated in Washington that year;

(c) A registration fee as prescribed in rule by the director, with the advice of the apiary advisory committee; and

(d) Any other information required by the department by rule.

(3) The director shall issue to each apiarist or broker registered with the department an apiarist identification number. [2000 c 100 § 3; 1994 c 178 § 6; 1993 c 89 § 11; 1988 c 4 § 9; 1977 ex.s. c 362 § 5; 1961 c 11 § 15.60.050. Prior: 1933 ex.s. c 59 § 6; RRS § 3170-6. Formerly RCW 15.60.050.]

RCW 15.60.031 Late registration fee. A late fee of one and one-half percent per month shall be assessed on registration fees received after April 1st. [2000 c 100 § 4; 1994 c 178 § 5; 1993 c 89 § 10; 1988 c 4 § 8; 1981 c 296 § 9; 1977 ex.s. c 362 § 9. Formerly RCW 15.60.043.]

Severability—1981 c 296: See note following RCW 15.08.010.

RCW 15.60.040 Money collected under chapter—Placement—Disbursement. All money collected under this chapter shall be placed in an account in the agricultural local fund. Money in the account shall be used to carry out the purposes of this chapter and may be used for apiary-related activities of the department or funding research projects of benefit to the apiary industry that the director may select upon the advice of the apiary advisory committee. No appropriation is required for disbursement from the account. [2000 c 100 § 5; 1994 c 178 § 4; 1993 c 89 § 8; 1988 c 4 § 6; 1981 c 296 § 8; 1977 ex.s. c 362 § 4; 1961 c 11 § 15.60.040. Prior: 1959 c 174 § 1; 1955 c 271 § 6; prior: (i) 1949 c 105 § 2; 1933 ex.s. c 59 § 3; Rem. Supp. 1949 § 3170-3. (ii) 1933 ex.s. c 59 § 4; RRS § 3170-4.]

Severability—1981 c 296: See note following RCW 15.08.010.

RCW 15.60.055 Violations—Penalty. (1) Except as provided in subsection (2) of this section, a person who violates or fails to comply with any of the provisions of this chapter or any rule adopted under this chapter is guilty of a misdemeanor.

(2) A second or subsequent violation is a gross misdemeanor.

(3) Whenever the director finds that a person has committed a violation of any of the provisions of this chapter or any rule adopted under this chapter and that violation has not been punished as a misdemeanor or gross misdemeanor, the director may impose and collect a civil penalty not exceeding one thousand dollars for each violation. Each violation shall be a separate and distinct offense. A person who knowingly, through an act of omission or commission, procures or aids or abets in the violation shall be considered to have violated this section and may be subject to the civil penalty. [2003 c 53 § 107; 1993 c 89 § 17; 1991 c 363 § 15; 1989 c 354 § 64. Formerly RCW 15.60.170.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

Severability—1989 c 354: See note following RCW 15.36.012.

RCW 15.60.065 Apiary coordinated areas—Hearing to establish. When the county legislative authority determines that it would be desirable to establish an apiary coordinated area or areas in their county, they shall make an order fixing a time and place when a hearing will be held, notice of which shall be published at least once each week for two successive weeks in a newspaper having general circulation within the county. It shall be the duty of the county legislative authority at the time fixed for such hearing, to hear all persons interested in the establishment of apiary coordinated areas as defined in this section and RCW 15.60.075 and 15.60.085. [2011 c 103 § 5; 1993 c 89 § 18; 1989 c 354 § 65. Formerly RCW 15.60.180.]

Purpose—2011 c 103: See note following RCW 15.26.120.

Severability—1989 c 354: See note following RCW 15.36.012.

RCW 15.60.075 Apiary coordinated areas—Order describing. Within thirty days after the conclusion of any such hearing the county legislative authority shall make an order describing the apiary coordinated areas within the county as to the maximum allowable number of hives per site, the minimum allowable distance between sites, and the minimum required setback from property lines. The order shall be entered upon the records of the county and published in a newspaper having general circulation in the county at least once each week for four successive weeks. [1989 c 354 § 66. Formerly RCW 15.60.190.]

Severability—1989 c 354: See note following RCW 15.36.012.

RCW 15.60.085 Apiary coordinated areas—Boundary change procedure. When the county legislative authority of any county deems it advisable to change the boundary or boundaries of any apiary coordinated area, a hearing shall be held in the same manner as provided in RCW 15.60.065. If the county legislative authority decides to change the boundary or boundaries of any apiary coordinated area or areas, they shall within thirty days after the conclusion of such hearing make an order describing the change or changes. Such order shall be entered upon the records of the county and published in a newspaper having general circulation in the county once each week for four successive weeks. [2011 c 103 § 6; 1989 c 354 § 68. Formerly RCW 15.60.210.]

Purpose—2011 c 103: See note following RCW 15.26.120.

Severability—1989 c 354: See note following RCW 15.36.012.

RCW 15.60.095 Apiary coordinated areas within certain counties. The county legislative authority of any county with a population of from forty thousand to less than seventy thousand located east of the Cascade crest and bordering in the southern side of the Snake river shall have the power to designate by an order made and published, as provided in RCW 15.60.075, certain territories as apiary coordinated areas in which they may designate the number of colonies per apiary, the distance between apiaries, the minimum required setback distance from property lines, and the time of year the regulations shall be in effect. No territory so designated shall be less than two square miles in area. [2011 c 103 § 7; 1993 c 89 § 20. Formerly RCW 15.60.220.]

Purpose—2011 c 103: See note following RCW 15.26.120.

RCW 15.60.250 Liability for acts or omissions. A person who owns or operates an apiary, is a registered apiarist under RCW 15.60.021, and conforms to all applicable city, town, or county ordinances regarding beekeeping, is not liable for any civil damages for acts or omissions in connection with the keeping and maintaining of bees, bee equipment, queen breeding equipment, apiaries, and appliances, unless such acts or omissions constitute gross negligence or willful misconduct. [2019 c 257 § 1.]

RCW 15.60.901 Effective date—2000 c 100. This act takes effect June 30, 2001. [2000 c 100 § 9.]