

Date Received	Address	Comments
07/30/21	6920 St Regis Blvd	My concern with reducing the lot size for backyard chickens is whether or not there is a restriction on roosters. They can be incredibly loud even when housed several acres away.
07/30/21	1685 Norton Road Hudson Ohio 44236	This is great for the residents of Hudson. It is wonderful knowing that the city is trying to improve their ordinances for their residents by allowing them to do as they please within reason along with no harm to any of their neighbors or property. Having chickens has become a hobby and great for kids and families to help learn responsibilities. It is great to see that the city of Hudson is acknowledging that and encouraging such growth for its community. Way to go Hudson!
07/30/21	68 Nantucket Dr	I like that the changes to allow chickens and bee keeping on smaller lots.
07/30/21	2561 Brafferton	<p>I feel the proposed amendments would be good for the community except for the Backyard Chickens.</p> <p>I feel that this would create a neighborhood nuisance. I feel the one acre restriction should remain in place.</p> <p>We live in the "City of Hudson" not the chicken farm of Hudson.</p>
07/30/21	1768 E Sapphire Drive	Backyard Chickens-- it is a fantastic idea to lessen the regulations on backyard chickens! They are a fun and easy animal to keep. Hens can be quite loving and have superb personalities. Keeping chickens does not require a large barn or commercial equipment. It can be a great hobby for those interested and very rewarding!
07/30/21	37 Jefferson Drive	Would absolutely love the opportunity to have chickens and the minimum 1 acre requirement be removed. We've had a decent size vegetable garden that's well maintained and have wanted to have chickens for years, however due to our half acre property, we haven't been able to.
07/30/21	5784 Bradford Way	I agree with the decrease in lot size for the hobby farm use. A half acre lot is still a large property

07/30/21	6649 Hollis Blvd	<p>Regarding agricultural use of property, I recommend that electric fences be permitted. Current code prohibits electric fencing, but that is the only reliable way to contain livestock and to keep predators out of a livestock area. Electric fences are commonly used throughout Hudson for this purpose. I suggest permitting electric fence using a commercially manufactured power source with a pulsed current (and maybe specify must have UL approval - if that is standard. You might at a minimum consider allowing electric fences for any designated agricultural district parcel.</p>
07/30/21	6649 Hollis Blvd	<p>RE:</p> <p>4. Roadside stands shall only be operated during daylight hours between May 1st through November 30th. Stands shall be removed by December 1st of each calendar year.</p> <p>5 At the end of each business day all items shall be removed from display.</p> <p>These seem unnecessary. I think you do not need to restrict the months or hours of operation. Since no lighting is allowed, there will not likely be any sales after dark. And little produce is available in winter anyway - but may start to be available well before May 1. It is also a lot of work to remove items from roadside stand each day for no benefit.</p> <p>I suggest removing these (4&amp;5) and maybe adding that any roadside stand needs to be removed from street view when not in use or actively selling items.</p>
07/30/21	6649 hollis blvd	<p>There should be an allowance for more accessory structures for a farm or parcel that is an approved agricultural district. Barns, sheds, animal shelters or houses, chicken coops, sugar shack, honey house, well house, etc. may all be necessary for a successful agricultural operation.</p> <p>You could still restrict it to "X" total sq ft for all agricultural accessory structures, or "Y" number of additional structures per acre, or similar.</p>

07/30/21	6649 hollis blvd	<p>RE: Hobby Farms vs. Large Scale Commercial Farms – Section 1206.03 Accessory Uses; 1213.02 Definitions</p> <p>I see the new definition of "Hobby Farm". Is there a similar definition for "Large Scale Commercial Farm"? What about a "Small Scale Commercial Farm"?</p> <p>If I sell home-grown produce at my roadside stand, does that make it a large/small scale commercial farm, or something else?</p> <p>Are there any differences in the LDC rules regarding parcels designated as Agricultural District verses one that is not designated as such?</p>
07/30/21	5980 Eastham Way	I support proposed change to remove one acre lot size for chickens and to reduce the setback requirements. I also support the proposed changes to allow raised garden beds and beekeeping. Farmer roadside stands are also fine with me. I'm ok with all the proposed changes.
07/30/21	5980 Eastham Way	If like to amend my first response regarding beekeeping. I think they should be able to keep more hives on their property.
07/30/21	64 N. Oviatt St.	I love all the proposed amendments. Let's encourage people to have bees, a few chickens, and raised bed gardens. Roadside stands sound good too! Thanks for making these updates.
07/31/21	1919 Norton Road Hudson OH 44236	<p>Setbacks for General Agricultural Uses/Hobby Farming vs. Large Scale Commercial Farms</p> <p>I am very happy to see many of these possible amendments to the LCD. I live on a narrow 3 acre lot and have very limited use for my property because of the setback requirements. The amendments would allow for me to make greater use of my property and add value to our life with the addition of hobby farming. My children are excited for the possibilities that may come with these amendments.</p>

07/31/21	5824 Bradford Way	Allow hobby farming, backyard chickens, apiculture, raised garden beds, farmers' roadside stands; allow more than the restrictive use personal property owners now must endure. In my neighborhood in Plymouth Village residents park their horse trailers and now recreational vehicles in their driveways and yards. If this is allowed I see no reason not to allow a more liberal agricultural use policy.
08/01/21	131 CLAIRHAVEN DR	I like all the updates to the land development code.
08/02/21	7545 Darrow Rd.	<p>Backyard Chickens – Section 1206.03 Accessory Uses</p> <p>I work at Hudson Montessori School and serve as Head of School. Our Middle School operates under the philosophy of giving "authentic work" to adolescents as they grow into adulthood. Our student over the last several years have asked to keep a small number of chickens (about 4-6). The students would likely use the eggs for their weekly activity where they make lunch for their classmates. We are aware that our school's zoning prohibits us from having chickens. I am in favor of the proposed changes that are being considered for residents (I am a Hudson resident as well) and would ask if there is any possibility that our school could potentially have a small number of chickens. I can be contacted at mvirgil@hudsonmontessori.org or 330-342-7236. Thank you for your consideration.</p>
08/02/21	27 STEEPLEVIEW DR	I do not favor backyard chickens in neighborhoods or close to neighbors and in view. If the land has a wooded lot and is set back from the road on maybe a 3-5 acre lot that would be OK with me.
08/02/21	3189 Middleton Rd	I think these are a good improvement to the LD Code... much better than what was suggested a year or so ago. Horses are mentioned in the opening but nothing more - are there changes to keeping horses on property, like those for keeping chickens?

08/03/21	34 Division St	<p>Regarding the proposed Agricultural Use Update to the LDC:</p> <p>PLEASE do not allow residents to raise chickens in the Historic District. The lots are too small and this presents the real possibility of noise, odors and other disruptions. If you have ever been near a farm with roosters, you know the crowing is constant and loud. This is yet another threat to quality of life and property values in Hudson's downtown neighborhood. Please prohibit this type of activity Ward 1.</p>
08/03/21	111 Old Orchard Dr.	<p>Backyard Chickens</p> <p>I fully support the proposed modification from the 1 acre requirement to 1/2 acre. This will allow for more residents to have chickens, especially in the village.</p>
08/03/21	932 Westhaven drive	<p>I have a neighbor with a narrow deep lot that would like to keep his chickens. He is bordering the very back of my lot. I am in complete support of him having chickens. Thanks!</p>
08/19/21	395 Boston Mills Rd.	<p>Yes, please! Decreasing the need for an acre of land for backyard chickens is an excellent idea!</p>
08/22/21	41 York Drive, Hudson, OH 44236	<p>Generally agree with all proposed changes - good work!</p> <p>Need clarification of "raised bed" - are beds that are not raised also subject to setback requirements, and what differentiates an ornamental bed from an agricultural bed? For example, is a bed of cutting flowers subject to setback or not? Are mounded rows without hard edging "raised beds"? Consider some statement on mulch materials (plastic vs. natural).</p> <p>Are hedges subject to same height limitations as fences? If not, they should be, to avoid excessive shading of neighboring properties and obstruction of views.</p>

08/23/21	328 Boston mills rd	I think all are a good idea to propose. I am on 4 acres and I am able to have animals, bees and chickens. Hudson has always been too restrictive and as long as people are responsible and respect their neighbors I feel they should be able to have chickens and bees. Gardens should also be allowed if well kept and not allowed to become a weed beds and unsightly.
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COMMUNITY DEVELOPMENT • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1790

Date: July 28, 2021  
To: Planning Commission Members  
From: Nick Sugar, Senior Planner  
Re: Staff meeting with Summit County Beekeepers Association and Lead for Pollinators

On July 28, 2021 staff held a joint meeting with the following individuals to gather comments on the proposed beekeeping ordinance:

- Randy Katz, Summit County Bee Inspector and Vice President of the Summit County Beekeepers Association.
- Michele Colopy, Executive Director of LEAD for Pollinators
- Emily Mueller, Owner - Mueller Honey Bee

Summary Comments from attendees include:

- A colony is the same as a hive. Would recommend using one term, such as “honeybee hive”.
- Regulations should not duplicate Chapter 909 of the Ohio Revised Code regulating apiaries (See attached). These regulations are enforced by the state and city staff could call for an inspection if a complaint is received.
- City should allow an increased number of beehives. The lot size will really dictate how many hives an individual could have. Regulating the number is also difficult because beekeepers are constantly adding and removing micro hives called “nukes” as there existing hives expand.
- A water source should not be required directly adjacent to the beehives. Most bees look for water farther from the hive. If regulating, suggest simplifying this to only require “maintaining a water source on the property”.
- State registration is typically printed on a small letter and would be burdensome to display. Would recommend if requiring registration, have the applicant submit a copy to the city in the event a nuisance is filed.
- Would not need requirements for hive size/volume. The maximum number of stacked boxes people would have is 6. Even then, only one box contains the brood where most of the bees reside. The other boxes are mainly comprised of honeycombs.

- The city should allow small sales. A typical residence would not produce enough honey to pose a nuisance.
- Entrance of structures would not need to be aimed at the interior of the lot unless directly adjacent to a public sidewalk/street or adjacent residence.
- Regulations should consider corner lots and side yards.
- Regulations should consider small commercial hives for restaurants/businesses, commonly located on rooftops or balconies.



## Chapter 909 | Apiaries

### Ohio Revised Code / Title 9 Agriculture-Animals-Fences

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#### Section

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### Section 909.01 | Apiary definitions.

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

As used in sections [909.01](#) to [909.18](#) of the Revised Code:

(A) "Person" includes corporations, companies, societies, associations, partnerships, any individual or combination of individuals, or any institution, park, or other public agency administered by the state or by any district, county, municipal corporation, or other governmental subdivision thereof. When construing or enforcing such sections, the act, omission, or failure of any officer, agent, servant, or other individual acting for or employed by any person as above defined within the scope of his employment or office is deemed to be the act, omission, or failure of such person, as well as that of the officer, agent, servant, or other employee.

(B) "Bees" means any stage of any species of the genus *Apis*.

(C) "Bee diseases" means any infectious or contagious disease that is pathogenic or parasitic and affects the eggs, or the larval, pupal, or adult stages, of bees.

(D) "Apiary" means any place where one or more colonies or nuclei of bees are kept.

(E) "Queen rearing apiaries" means any apiary in which queen bees are reared for sale or gift.

(F) "Hive" means any modern frame hive, box hive, box, barrel, log gum, skep, or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.

(G) "Equipment" means any used hives or parts thereof, used frames, used honey houses, used tools, used machines, or used devices employed in the handling or manipulation of bees, honey, or beeswax, or any used container for honey or beeswax that may be used in any apiary.

(H) "Serious bee diseases" means any bee disease the director of agriculture determines to be a threat to the beekeeping industry within the state.

(I) "Africanized honey bees" means any bees identified by the United States department of agriculture by approved identification methods to be classified as *Apis mellifera scutellata*.

(J) "Swarm" means a population of bees that is not permanently established.

(K) "Colony" means the hive and its equipment, including bees, combs, and brood.

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## Section 909.02 | [Application for registration - certificate.](#)

**Effective:** July 1, 1989    **Latest Legislation:** House Bill 111 - 118th General Assembly

Any person owning or possessing bees shall on or before the first day of June of each year, or thereafter within ten days after coming into ownership or possession of bees, or upon moving bees into this state from outside the state, file with the director of agriculture an application for registration setting forth the exact location of his apiaries and the number of colonies of bees in each apiary, together with such other information as is required by the director, and accompanied by a registration fee of five dollars for each separate apiary owned or possessed by him at time of registration. Any person who submits his application after the dates specified by this section, or after the dates specified in rules adopted by the director, shall be subject to a ten-dollar late filing fee in addition to the

five-dollar registration fee. Upon acceptance of the application, the director shall issue to such person a certificate of registration. All certificates issued in accordance with this section expire on the thirty-first day of May next following date of issuance or renewal, and shall be renewed according to the standard renewal procedure of sections [4745.01](#) to [4745.03](#) of the Revised Code.

No person shall maintain an apiary located on premises other than that of his residence unless such apiary is identifiable by an apiary identification number assigned to such person by the director. Such identification number shall be posted in a conspicuous location in the apiary. The moving, raising, and production of bees, beeswax, honey, and honey products shall be deemed an agricultural pursuit.

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## Section 909.03 | Control, eradication or prevention of bee diseases or spread of Africanized honey bees.

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

The director of agriculture may make and enforce such rules and orders as in his judgment are necessary to control, eradicate, or prevent the introduction, spread, or dissemination of any bee diseases or Africanized honey bees. No person shall fail to comply with the rules adopted under this section.

In the control or eradication of serious bee diseases, the director or his authorized representative shall diagnose the disease and recommend approved control options for it to the beekeeper. If a control is available to the beekeeper for the disease diagnosed but no attempt is made to implement a control within an appropriate time frame as determined by rule, the director may destroy by burning or otherwise any diseased bees, hives, honey, Africanized honey bees, or equipment that he considers necessary for such control or eradication, without remuneration to the owner. Such diseased bees, hives, honey, Africanized honey bees, and equipment are a public nuisance.

## Section 909.04 | Quarantine orders.

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

Under sections [909.01](#) to [909.18](#) of the Revised Code, the director of agriculture may establish and maintain quarantine orders prohibiting the shipment into or within the state, or any subdivision thereof, of any bees, queen bees, used hives or any part thereof, used equipment, or any material capable of transmitting any bee diseases, or Africanized honey bees for such periods and under such conditions as he considers necessary to control, eradicate, or prevent the introduction, spread, or dissemination of any bee diseases or Africanized honey bees, giving such notice thereof as is prescribed by him. During the existence of such order, no person shall remove or ship from such area any such material except by special permission or order of the director; provided that before the director promulgates the order of quarantine as provided in this section, and after due notice to interested persons, he shall give a public hearing under such rules as he prescribes, at which hearing any interested person may appear and be heard, either in person or by attorney.

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## Section 909.05 | Authority to enter upon premises for inspection.

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

To enforce sections [909.01](#) to [909.18](#) of the Revised Code, the director of agriculture or his authorized representatives, during daylight hours, shall have access to and egress from any apiary or to any premises, buildings, or any other place, public or private, in which he has reason to believe that bees, including Africanized honey bees, honey, wax, used hives, or used equipment is kept. During the inspection, the director or his representative may inspect bee colonies to determine their condition and health, take samples for disease diagnosis or race determination, decide if live colonies exist for apiary registration purposes, and control or eradicate serious bee diseases and Africanized honey bees.

If the director or his representative is denied access to any premises where access is sought for the purposes of this section, he may apply to any court of competent jurisdiction for a search warrant authorizing access to the premises for those purposes. The court, upon receiving the application, may issue the search warrant for the purposes requested.

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## Section 909.06 | State apiarist and deputies.

**Effective:** October 1, 1953    **Latest Legislation:** House Bill 1 - 100th General Assembly

The director of agriculture shall appoint a competent entomologist as state apiarist and such number of deputy state apiarists as are necessary to carry out sections [909.01](#) to [909.18](#), inclusive, of the Revised Code. Said state apiarist and deputy state apiarists shall be vested with the powers of police officers in the enforcement of such sections, and shall be furnished with official badges or other insignia of authority which shall be carried while on duty.

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## Section 909.07 | Board of county commissioners may appropriate funds for inspections - deputy apiarist - report.

**Effective:** October 1, 1953    **Latest Legislation:** Senate Bill 361 - 100th General Assembly

The board of county commissioners may appropriate such funds as it deems sufficient for the inspection of apiaries in its county. It may appoint a deputy apiarist with the consent and concurrence of the director of agriculture, said deputy to serve during the pleasure of said board except as specified in this section. Such deputy shall be paid such salary as the county commissioners determine for each day, or for each half day of inspection work actually done, together with such expenses as are necessarily incurred in the doing of the inspection work. Before the board approves said salary and expenses for payment, such deputy shall submit the same to the director for his approval. Such deputy shall work under the direction of the director and shall be responsible to him for the enforcement of

sections [909.01](#) to [909.18](#), inclusive, of the Revised Code. The director may terminate the appointment of any deputy upon submitting to the board a statement that such deputy has shown himself to be incompetent, inefficient, or untrustworthy in the discharge of his duties. Such deputy shall furnish to the director such reports as are required and upon blanks furnished by him. A duplicate of such reports shall be presented to the board each time that a statement of salary and expense is presented for payment.

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## Section 909.08 | [Annual inspection of queen apiaries - certificate.](#)

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

Each person within the state engaged in the rearing of queen bees for sale or gift, before the first day of April of each year, shall file with the director of agriculture a request for the inspection of his apiaries where queen bees are reared. The director shall require all queen rearing apiaries to be inspected at least once each year. If the inspection results in the diagnosis of any serious bee disease or indicates the presence of Africanized honey bees, the owner thereof shall not ship, sell, or give away any queen bees until he has controlled or eradicated the disease or bees to the satisfaction of the director.

When such diseases or bees have been controlled or eradicated in the queen rearing apiary, or if no serious bee disease is diagnosed or Africanized honey bees are found, the director shall issue a certificate, signed by the state apiarist, a copy of which shall be attached to each package or shipment of queen bees mailed or shipped. The certificate shall be valid for, but not to exceed, one year. The use of tags or other devices bearing an invalid or altered certificate and the misuse of any valid certificate is prohibited.

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## Section 909.09 | [Permit necessary to transfer.](#)

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

No person shall sell, offer for sale, give, offer to give, barter, or offer to barter any bees, honeycombs, or used beekeeping equipment without a permit from the director of agriculture. The permit, or a copy of it, shall accompany any such transfer of ownership. The director may refuse to issue the permit until he finds by inspection that any africanized honey bees are eradicated from and any serious bee diseases are controlled or eradicated from the bees, honeycombs, or used beekeeping equipment.

This section does not apply to the transfer of ownership of honeycomb for human consumption.

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## Section 909.10 | Inspection certificate required to ship or move bee colonies or any used beekeeping equipment into this state.

***Effective:** September 29, 2017    **Latest Legislation:** House Bill 49 - 132nd General Assembly*

(A) No person shall ship or move bee colonies or any used beekeeping equipment into this state from any other state or country without an inspection certificate issued by an authorized inspector from the state or country wherein shipment or movement originated. The certificate shall identify all pathogens and parasites diagnosed and any controls that were implemented.

In the absence of inspection facilities in another state or country, the director of agriculture may issue a permit authorizing the shipment or movement of the bee colonies or used beekeeping equipment into this state, provided that upon entry the bees or equipment is inspected by the department of agriculture. The cost of the inspection shall be paid upon completion in an amount determined by rule of the director. The inspection fees shall be paid to the director and deposited by the director with the treasurer of state to the credit of the plant pest program fund created in section [927.54](#) of the Revised Code.

If any serious bee diseases are diagnosed, appropriate controls and eradication measures immediately shall be implemented by the person shipping or owning the bee colonies or

used beekeeping equipment. If the person shipping or owning the bee colonies or equipment does not implement any controls or eradication measures within forty-eight hours from the inspection, the bee colonies or equipment shall be removed from this state at the cost of the person shipping or owning them.

(B) Any person selling, shipping, or moving into this state any queen bees or packaged bees shall submit to the director an inspection report issued by an authorized inspector from the state or country wherein shipment or movement originated. One such report shall be submitted annually thirty days prior to the initial sale, shipment, or movement of queen bees or packaged bees of that year. The report shall identify any pathogens and parasites diagnosed and any controls that were implemented. If any serious bee diseases have not been controlled or if inspection reports are not provided as required under this section, such shipments shall be prohibited from entering this state.

(C) The director may deny entry of the bee colonies or used equipment if the director determines they are a threat to the bee population of this state.

(D) No person shall ship or move into this state any Africanized honey bees.

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## Section 909.11 | Additional control and eradication measures.

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

(A) The removal of any bees, honeycombs, honey, or used beekeeping equipment from any apiary in the state wherein a serious bee disease is known to exist is prohibited until such disease is controlled or eradicated. The removal of any bees, honeycombs, honey, or used beekeeping equipment may be made from any such apiary, under a special permit signed by the state apiarist, when properly safeguarded to prevent dissemination of such disease.

(B) If any swarm or apiary, for which no person claims ownership and that is not registered as required in section [909.02](#) of the Revised Code, is found to harbor a serious bee disease



or Africanized honey bees, then the bees and equipment, if applicable, shall be eradicated.

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## Section 909.12 | Frames and honeycombs must be easily removable and accessible.

**Effective:** October 1, 1953    **Latest Legislation:** House Bill 1 - 100th General Assembly

No person shall keep or maintain bees in any hive if all frames and honeycombs cannot be readily removed therefrom for inspection or keep or maintain bees in any hive situated where adequate and efficient inspection is difficult, impracticable, or impossible. All cross-comb hives or domiciles for bees, from which the frames and honeycombs cannot be readily removed, are hereby declared to be a public nuisance.

If any owner is found using such cross-comb hives or domiciles, the director of agriculture shall notify said owner in writing to cease using them. If, after the expiration of one year from receipt of said notice, the owner has failed to cease using said cross-comb hives or domiciles for housing bees, the director may seize and destroy them without remuneration.

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## Section 909.13 | Revocation of certificate or permit.

**Effective:** October 1, 1953    **Latest Legislation:** House Bill 1 - 100th General Assembly

The director of agriculture, in accordance with sections [119.01](#) to [119.13](#), inclusive, of the Revised Code, may revoke any certificate or permit issued under sections [909.01](#) to [909.18](#), inclusive, of the Revised Code, for cause, including any violation of such sections or nonconformity with any rule or order promulgated under such sections in accordance with sections [119.01](#) to [119.13](#), inclusive, of the Revised Code. There shall be no revocation of a certificate or permit until the certificate or permit holder first is given an opportunity for a hearing by the director in regard thereto in accordance with sections [119.01](#) to [119.13](#), inclusive, of the Revised Code. An appeal may be taken from the action of the director in

revocation of a certificate or permit to the court of common pleas as provided in section [119.12](#) of the Revised Code.

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## Section 909.131 | Effect of child support default on certificate.

**Effective:** March 22, 2001    **Latest Legislation:** Senate Bill 180 - 123rd General Assembly

On receipt of a notice pursuant to section [3123.43](#) of the Revised Code, the director of agriculture shall comply with sections [3123.41](#) to [3123.50](#) of the Revised Code and any applicable rules adopted under section [3123.63](#) of the Revised Code with respect to a certificate issued pursuant to this chapter.

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## Section 909.14 | Annual report.

**Effective:** October 1, 1953    **Latest Legislation:** House Bill 1 - 100th General Assembly

The director of agriculture may publish an annual report and such other information concerning the inspection of bees, or bee diseases, as he deems necessary to the carrying out of sections [909.01](#) to [909.18](#), inclusive, of the Revised Code. He shall, from time to time, publish all rules or orders promulgated under such section.

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## Section 909.15 | Moneys credited to general revenue fund.

**Effective:** September 29, 2013    **Latest Legislation:** House Bill 59 - 130th General Assembly

All moneys from registration fees and from fines imposed and recovered under sections [909.01](#) to [909.18](#) of the Revised Code shall be paid to the director of agriculture, who shall deposit such moneys in the state treasury to the credit of the plant pest program fund created in section [927.54](#) of the Revised Code.

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## Section 909.16 | Appeal.

**Effective:** October 1, 1953    **Latest Legislation:** House Bill 1 - 100th General Assembly

Any person in interest or affected by any order of the director of agriculture, or state apiarists, may appeal therefrom to the director within five days of the service of such order upon him setting forth in writing specifically and in full detail the order on which a hearing is desired, and every reason why such order is deemed unreasonable.

On receipt of such appeal, the director shall with reasonable promptness order a hearing thereon, and consider and determine the matters in question. Notice of the time and place of hearing shall be given to the petitioner and to such other persons as the director may direct. Such appeal shall suspend the operation of the order appealed from except as to the orders of the director promulgating a quarantine as provided in section [909.04](#) of the Revised Code. All hearings of the director shall be open to the public, and his decisions shall be final. The appellant may be represented by an attorney.

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## Section 909.17 | Director of agriculture to prosecute violators.

**Effective:** October 1, 1953    **Latest Legislation:** House Bill 1 - 100th General Assembly

The director of agriculture or his representatives shall prosecute all violations of sections [909.01](#) to [909.18](#), inclusive, of the Revised Code, before any court of competent jurisdiction in the county in which the violation occurs or person accused thereof resides. The complainant shall not be required to give security for costs. The prosecuting attorney of each county, or the attorney general, shall conduct such prosecutions.

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## Section 909.18 | Prohibition.

**Effective:** October 1, 1953    **Latest Legislation:** House Bill 1 - 100th General Assembly

No person shall violate sections [909.01](#) to [909.18](#), inclusive, of the Revised Code, or any rule or order of the director of agriculture promulgated under such sections in accordance

with sections [119.01](#) to [119.13](#), inclusive, of the Revised Code.

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## Section 909.99 | Penalty.

**Effective:** June 20, 1994    **Latest Legislation:** Senate Bill 134 - 120th General Assembly

(A)(1) Whoever violates sections [909.03](#) and [909.10](#) of the Revised Code is guilty of a misdemeanor of the third degree on a first offense; on each subsequent offense, the person is guilty of a misdemeanor of the second degree.

(2) Any person who violates division (D) of section [909.10](#) of the Revised Code also shall not be remunerated for the eradication of his Africanized honey bees.

(B) Whoever violates any section of Chapter 909. of the Revised Code for which no penalty otherwise is provided is guilty of a misdemeanor of the fourth degree on a first offense; on each subsequent offense, the person is guilty of a misdemeanor of the third degree.

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