

People living in HOAs could have gardens, hens and bees under bill moving through Oregon legislature

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People who live in neighborhoods with homeowners associations would have the right to engage in gardening, hen-keeping and beekeeping under a bill moving through the Oregon legislature.

Some planned communities have bylaws that prohibit bees, chickens, and even gardens. Senate Bill 437 would overrule those restrictions, although it would not supersede applicable municipal regulations, if any.

No one spoke against gardens at a recent legislative hearing of the Oregon House Committee on Housing and Homelessness. Chickens were generally deemed okay, as long as they're not roosters. (The measure specifies that only hens would be allowed, and most incorporated areas that permit backyard chickens have a ban on roosters.)

But bees?

Greg Leo, a lobbyist for the sprawling Charbonneau Country Club near Wilsonville, painted a chaotic, hypothetical scene at houses that line the 18-hole golf course next to the development.

"A poorly-placed golf shot could, in fact, hit a beehive," he said. "We have many elderly people, some of which can't outrun bees."

Leo said such a combination could result in a resident experiencing anaphylactic shock.



The bill would require HOAs to allow beekeeping, but it would allow the groups to regulate the location, size and scope of such operations.

"We are concerned that it creates somewhat of a public safety hazard to have beekeeping that close," he said.

But Rep. Boomer Wright, R-Reedsport, said fears of bee stings are overblown.

"As a minor beekeeper myself, I find that if you don't mess with the bees, they won't mess with you," he said. "In fact, they're very docile insects."

A similar proposal died in Salem two years ago, but supporters think they've rounded up enough votes this time around. The measure has already passed the Senate on a 27-1 vote, and awaits further action in the House Committee on Housing and Homelessness.

One key member of that panel seemed skeptical of the proposal, however.

"I don't live in an HOA," said Rep. Julie Fahey, D-Eugene, the House Democratic leader. "I do think that people who live in HOA neighborhoods do so because they expect some level of control over their environment."

Fahey said she fully supports the gardening portion of the measure, and is "80% supportive" of the beekeeping part.

"I have concerns about the hen-keeping part of the bill," she said. "I do live next to somebody that has chickens, and have spent a lot of money on rat extermination because of that."

The bill's chief sponsor, Sen. Cedric Hayden, R-Fall Creek, said if the bill is approved, homeowner's associations could still enact rules about how a resident engages in the newly-permissible activities.

"They can regulate where on the property it would be," he said. "Maybe not in line with the golf course. It may have to be behind the house."

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