

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA ADOPTING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 4 – ANIMALS; AMENDING SEC. 4-2 – PROHIBITED ANIMALS BY ALLOWING FOR THE ISSUANCE OF SPECIAL EXEMPTION PERMITS FOR BACKYARD CHICKENS; AND CREATING SEC. 4-33 – BACKYARD CHICKENS TO ESTABLISH REGULATIONS FOR THE KEEPING OF BACKYARD CHICKENS; AND REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Commission recognizes that there is an increased interest in sustainable backyard and local food sources; and

WHEREAS, many communities in Florida and throughout the United States have enacted regulations to compatibly integrate the keeping of backyard chickens into urban residential settings; and

WHEREAS, the benefits of maintaining backyard chickens including the nutritional benefits of fresh eggs and garden benefits of pest control and fertilizer are in the best interest of the public health, safety and welfare of the residents; and

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida:

SECTION 1. Section 4-2 is hereby amended and Section 4-33 is hereby added to the Code of Ordinances of the City of Fort Pierce, Florida, so that the same shall read hereinafter as follows:

CHAPTER 4. - ANIMALS

ARTICLE I. - GENERAL

Sec. 4-2. - Prohibited animals.

- (a) Except as permitted by applicable City zoning regulations, it shall be unlawful for any person to keep or harbor livestock; fowl, not including domesticated caged or perched birds kept indoors as pets, such as parrots, cockatoos, macaws, parakeets, cockatiels, and finches; animals that require a special permit by the Florida Fish and Wildlife Conservation Commission or bees in any incorporated area of the city.
- (b) A special exception permit which may be granted by the animal control division if said animals do not create a nuisance, health hazard or danger, and if said animals are not being raised for public consumption. Special exemption permits for backyard chicken

may be granted as long as all the requirements outlined in Sec. 4-33 of this Chapter are met. A denial of a special exception permit may be appealed to the city manager.

(c) The fee for the special exemption permit will be set by Resolution of the City Commission.

Sec. 4-33. – Backyard Chickens.

- (a) Special Exemption Permit Required. A special exemption permit is required for the keeping of chickens. The permit is personal to the permittee and may not be assigned. If the person applying for the permit is not the registered property owner if the property where the chickens are to be kept, the owner must provide authorization and consent to the application.
- (b) Chickens are permitted to be kept at an occupied single family residence. Permits for maintaining chickens at duplexes, triplexes and other multi-family residential units will be determined on a case-by-case basis determined by building configuration, lot size and ability to comply with all regulations of this section. Chickens are prohibited from being maintained on vacant properties, condominiums, apartment complexes and within manufactured/mobile home parks.
- (c) A maximum of six (6) female chickens (hens) may be kept per permit. Roosters are not permitted.
- (d) The keeping of ducks, geese, turkeys, peafowl, pigeons or any other poultry or fowl is prohibited.
- (e) The chickens shall be provided with a covered enclosure (henhouse / coop) and must be kept in a covered enclosure or fenced pen / run at all times. Free roaming chickens are prohibited.
- (f) All chicken enclosures must be the following requirements:
 - (1) The henhouse, coop, pen and / or run area must be cleaned regularly and no manure is permitted to accumulate on the floor or ground.
 - (2) May not be located closer than ten (10) feet from any property line of an adjacent property, nor within twenty-five (25) feet of any adjacent residential structure.
 - (3) May not exceed six (6) feet in height.
 - (4) Shall be constructed and maintained so as to prevent the harborage of rodents and other pests.
- (g) Odors from chickens, chicken manure or other items associated with the keeping of chickens must not be perceptible at the property boundaries.

- (h) All feed and other items associated with the keeping of chickens that are likely to attract rodents or to become infested with pests shall be kept in secure containers.
- (i) Chickens are for personal use only. Selling chickens, eggs, feathers, chicken manure or the breeding of chickens is prohibited.
- (j) The slaughter of chickens is prohibited in areas that are viewable from any adjacent property or public area.
- (k) Violations of this section are a Class A violation. Three violations of any part of this section within a twelve month period may result in the revocation of the special exemption permit.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage hereof.

Linda Hudson, Mayor

ATTEST:

Linda W. Cox
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

James M. Messer, Esquire
City Attorney