

ORDINANCE NO. 2020-2183

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF CHAPTER 4 OF THE NEW PORT RICHEY CODE OF ORDINANCES; PERTAINING TO ANIMAL CONTROL; PROVIDING FOR REGULATION OF CHICKENS WITHIN THE CITY; PROVIDING FOR A MAXIMUM OF FIVE (5) CHICKENS ON ANY PROPERTY; PROVIDING FOR COOPS, PENS AND MAINTENANCE; PROVIDING FOR PROHIBITION OF ROOSTERS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, within the City limits of the City of New Port Richey, Florida is a recurring condition which has resulted in the proliferation of chickens throughout the City;

WHEREAS, chickens can be a detriment to the public health, safety, welfare and quality of life of the residents of the City if not adequately controlled; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

Section 1. Chapter 4 of the Code of Ordinances, pertaining to animal control, is hereby amended to add Section 4-6 thereto, as follows (strikeout text is deleted and underlined text is added):

Sec. 4-6. – Keeping Live Chickens.

The keeping of live chickens within the City shall at all times be in accordance with this Section.

(a) It shall be a violation of this Code of Ordinances to have, keep, maintain, or allow live chickens to be on any property within the City limits, except as provided in this Section.

(b) No roosters shall be allowed on any property within the City at any time.

(c) Any property having live chickens thereon shall have chicken coops or pens on said property, in the rear yard only, constructed in a manner to keep the chickens housed therein at all times. Each chicken coop or pen must have at least two (2) square feet of space per chicken kept on the property. Chickens shall be allowed outside the coops or pens periodically between sunrise and sunset, only, so long as the same are properly confined on the property with an impenetrable fence.

No chicken pen shall exceed fifty (50) square feet in area.

(d) Any property on which live chickens are allowed must be properly maintained to properly remove waste products and to ensure proper vegetative ground covers are maintained at all times. Any property on which a live chicken is kept that has more than one hundred (100) square feet of defoliated ground, outside a chicken pen or chicken coop area, shall be in violation of this Section.

(e) No property shall have more than five (5) live chickens thereon at any time.

(f) Live chickens shall not be slaughtered or processed for consumption on any property within the City at any time.

Section 2. Enforcement. This ordinance shall be enforced as provided for in the Code of Ordinances.

Section 3. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

Section 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 5. Effective Date. This ordinance shall take effect sixty (60) days after its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this ____ day of _____, 2020, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this ____ day of _____, 2020.

ATTEST:

By: _____
Judy Meyers, CMC, City Clerk

By: _____
Robert Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY
FOR THE SOLE USE AND RELIANCE OF THE
CITY OF NEW PORT RICHEY, FLORIDA:

Timothy P. Driscoll, City Attorney