

# ORDINANCE 2019-51

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING ZONING; ADDING SECTION 122-1217 PROVIDING FOR REGULATIONS TO ALLOW CHICKENS IN THE R-1, R-1A AND R-1AA (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICTS, SUBJECT TO CONDITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session, as follows:

**Section 1.** That Section 122-1217 of the Code of Ordinances, City of Ocala, Florida is hereby added to read as follows:

## **Sec 122-1217. Chickens**

Chickens are allowed on properties zoned R-1, R-1A and R-1AA, subject to the following conditions:

- (1) A permit is required with the City's Growth Management Department to keep up to six chickens in the rear yard of an occupied detached single-family residence. Code Enforcement will inspect permitted properties at least twice a year to ensure compliance with conditions.
- (2) Ducks, geese, turkeys, peafowl, male chickens/roosters, pigeons, or any other poultry or fowl are not allowed.
- (3) Chickens must be provided with a covered, properly ventilated, clean and maintained, predator-resistant chicken house that is designed to be easily accessed, with at least two square feet per chicken.
- (4) During daylight hours, chickens must have access to the chicken house and access to an outdoor enclosure that is adequately fenced to protect them from predators.
- (5) The coop and pen/run area must be at least three feet from the adjoining property, cleaned regularly and kept free of insects and rodents. Odors from chickens, including chicken manure, or other items associated with the keeping of chickens must not be perceptible at the property boundaries. Chickens will not be allowed to create a nuisance including odor, noise or contribute to any other nuisance condition.
- (6) Composting of chicken manure is allowed in an enclosed bin. The composting bin shall be kept at least 15 feet away from all property lines.
- (7) Chickens must be kept for personal use only. Selling chickens, eggs, feathers, or chicken manure, or the breeding of chickens is prohibited.

- (8) Chickens may not be slaughtered on premises.
- (9) All other permitted livestock in the R-1, R-1A, and R-1AA zoning districts must be consistent with Section 122-1221.
- (10) The building official has the sole discretion to revoke the permit and require that the chickens be removed within 10 days if he or she determines that the permittee is in violation of the requirements of the Code.

**Section 2.** Severability Clause: Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**Section 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** This ordinance shall take effect upon approval by the Mayor, or becoming law without such approval.

**ATTEST:**

**CITY OF OCALA**

By: \_\_\_\_\_  
 Angel B. Jacobs  
 City Clerk

By: \_\_\_\_\_  
 Mary S. Rich  
 President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on \_\_\_\_\_, 2019.

By: \_\_\_\_\_  
 Reuben Kent Guinn  
 Mayor

Approved as to form and legality:

By: \_\_\_\_\_  
 Patrick G. Gilligan  
 City Attorney

Ordinance No: 2019-51  
 Introduced: 6/4/2019  
 Adopted: 6/18/2019  
 Legal Ad No: A000953908 - 6/7/19