

**ORDINANCE NO. 9489-21**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AMENDMENTS TO THE CODE OF ORDINANCES BY PROVIDING A NEW EXCEPTION UNDER SECTION 8.04 FROM THE GENERAL KEEPING OF CERTAIN ANIMALS PROHIBITION OF THE ANIMAL CHAPTER OF THE CODE OF ORDINANCES SPECIFICALLY FOR THE KEEPING OF CHICKENS IN CERTAIN RESIDENTIAL ZONING DISTRICTS PURSUANT TO SECTION 3-204.I OF THE COMMUNITY DEVELOPMENT CODE; AMENDING SECTION 8.33 TO CLARIFY THAT IT SHALL BE UNLAWFUL TO ALLOW CHICKENS TO WANDER PUBLIC STREETS OR THE PROPERTY OF ANOTHER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in response to community dialogue and engagement with Clearwater residents, the City wishes to allow for the keeping of chickens in certain residential zoning districts subject to specific standards and restrictions; and

WHEREAS, the City has determined that revisions to the Community Development Code to allow for the keeping of chickens in certain residential zoning districts would serve to promote more diverse and healthier lifestyle choices for City residents; and

WHEREAS, in order to implement the necessary revisions to the Community Development Code to allow for the keeping of said chickens, certain revisions need to be implemented in the Animal Chapter of the Code of Ordinances; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. That Chapter 8, Animals, Section 8.04., Exceptions to Section 8.03, Code of Ordinances City of Clearwater, be amended to add subsection (11) and read as follows:

Sec. 8.04. - Exceptions to section 8.03.

The provisions of section 8.03 shall not apply to the following:

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(11) The keeping of chickens pursuant to Section 3-204.I of the City of Clearwater Community development code.

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Section 2. That Chapter 8, Animals, Section 8.33., Running at Large; securing on public property or property of another, Code of Ordinances City of Clearwater, be amended to read as follows:

Sec. 8.33. - Running at large; securing on public property or property of another.

It shall be unlawful for any person who owns, harbors, keeps or maintains any horse, chicken, cow or other domestic animal or pet including dogs to permit such animal to wander on the public streets or on the property of another. Such animals shall not be secured except temporarily on the public streets, parks, property of another or parkways of the city, and any such horse, cow and other animal or pet including dogs found to be wandering at large out of presence of the owner, or tied or secured on the public streets or parkways of the city except temporarily shall be impounded.

Section 3. Amendments to the Code of Ordinances of the City of Clearwater are hereby adopted to read as set forth in this Ordinance.

Section 4. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 5. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

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PASSED ON SECOND AND FINAL  
READING AND ADOPTED

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Frank V. Hibbard  
Mayor

Approved as to form:

Attest:

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Matthew J. Mytych, Esq.  
Assistant City Attorney

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Rosemarie Call  
City Clerk