

ORDINANCE NO. 13-15

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; AMENDING SECTION 201, LAND DEVELOPMENT CODE, TO AMEND THE DEFINITIONS RELATED TO “FARM ANIMAL” SO AS TO DELETE THE REGULATION OF CHICKENS FROM THE REGULATIONS APPLICABLE TO FARM ANIMALS; ADDING A CROSS REFERENCE TO THE LOCATION OF REGULATIONS APPLICABLE TO CHICKENS IN THE MANATEE COUNTY CODE OF ORDINANCES; PROVIDING FOR A PURPOSE AND INTENT; AMENDING OTHER SECTIONS OF THE LAND DEVELOPMENT CODE FOR INTERNAL CONSISTENCY; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This ordinance is enacted to carry out the purpose and intent of and exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163, Florida Statutes, as amended and retitled the Community Planning Act in House Bill 7207 and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this ordinance:

1. Section 704, of the Manatee County Land Development Code (the “Land Development Code” or “the Code”), and Definitions, in Section 201 of the Code, along with other code provisions, establish regulations regarding farm animals, including chickens, within the unincorporated area of Manatee County.

2. Chapter 2-4 of the Manatee County Code of Ordinances (the “County Code”) establishes regulations regarding animals in the unincorporated area of Manatee County.

3. It is in the interest of the public health, safety and welfare of the citizens of the County to amend Section 201, Definitions of the Land Development Code so as to delete regulations regarding chickens to the extent they are more appropriately regulated in the County Code.

4. The Manatee County Planning Commission held a duly noticed and advertised public hearing on April 11, 2013, received public comment, the staff report, and has reviewed the amendments set forth in this ordinance and has found these amendments to the Land Development Code to be consistent with the Manatee County Comprehensive Plan and recommended their adoption to the Board.

5. The Board of County Commissioners held two duly noticed advertised public hearings on May 2, 2013, and June 4, 2013, received public comments, the staff recommendation and report of the Planning Commission and has found this ordinance would serve to streamline regulations within the County and thus serve a valid public purpose.

Section 3. Amendment of Chapter 2, Definitions and Rules of Construction, Land Development Code.

Chapter 2 of the Code is hereby amended in Section 201, Definitions, to amend the definitions related to “farm animals.” Said definitions are amended and restated in their entirety, a copy which is attached hereto, labeled Exhibit A to this ordinance, and made a part hereof by reference.

Section 4. Severability.

If any section, sentence, clause or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Ordinance.

Section 5. Codification.

The publisher of the County’s Land Development Code, the Municipal Code Corporation, is directed to codify the amendments in Section 3 of this ordinance into the Land Development Code, but shall not codify the remaining Sections.

Section 6. Applicability.

The amendments set forth in this ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 7. Repealing Ordinances in Conflict.

Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. Effective Date.

This ordinance shall become effective upon the immediate filing of this ordinance with the Secretary of State.

PASSED AND DULY ADOPTED with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 4th day of June, 2013.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Larry Bustle, Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

By: _____
Deputy Clerk