

ORDINANCE NO. 2011-02

**AN ORDINANCE OF THE TOWN OF HILLCREST HEIGHTS, FLORIDA, CREATING SECTION 10-34, OF ARTICLE II. NUISANCES, OF CHAPTER 10, OF THE CODE OF ORDINANCES, TO DECLARE IT UNLAWFUL TO KEEP ROOSTERS, PEAFOWL, GEESE, EMUS, OSTRICHES, OR TURKEYS OR TO PERMIT SAME TO ROAM AT LARGE INSIDE THE CITY LIMITS OF THE TOWN OF HILLCREST HEIGHTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS WITH OTHER ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Whereas**, the Town Commission of the Town of Hillcrest Heights, Florida, pursuant to Chapter 166 of the Florida Statutes and other applicable provisions of law, has the authority to enact this ordinance; and

**Whereas**, the Town Commission has determined that in order to protect the public's health, safety, and general welfare, it is in the best interest of the Town of Hillcrest Heights to make it unlawful to have or keep roosters, peafowl, geese, emus, ostriches, or turkeys or to permit same to roam at large, within the city limits of the Town of Hillcrest Heights.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF HILLCREST HEIGHTS, FLORIDA, THAT CHAPTER 10, ARTICLE II, SECTION 10-34 OF THE CODE OF ORDINANCES BE CREATED AS FOLLOWS:**

**Chapter 10, Article II. Nuisances, Section 10-34**

**Section 1.** It shall be unlawful to have or keep within the city limits of the Town of Hillcrest Heights, Florida, any rooster, peafowl, goose, emu, ostrich, or turkey or to permit same to roam at large inside the city limits.

**Section 2.** *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 effect.

**Section 3.** *Conflicts With Other Ordinances.* That portion of any Ordinance which may be in conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

**Section 4.** *Effective Date.* This Ordinance shall take effect immediately upon being read in two (2) meetings of the Town Commission of the Town of Hillcrest Heights, and its approval and adoption by the Town Commission.