

**ORDINANCE NO. 23-28**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 5 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "ANIMALS AND FOWL;" BY SPECIFICALLY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY CREATING SECTION 5-5, TO BE ENTITLED "KEEPING OF ROOSTERS;" PROHIBITING THE KEEPING OF ROOSTERS IN RESIDENTIAL ZONING DISTRICTS IN THE CITY; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the crowing of roosters in certain residential areas within the City of Cooper City (the "City") has negatively affected many residents' quiet enjoyment of their property; and

**WHEREAS**, the City Commission finds that roosters constitute a public nuisance in residential communities in the City; and

**WHEREAS**, in an effort to mitigate the noise and public nuisance caused by crowing roosters, the City Commission seeks to prohibit the keeping of roosters in residential zoning districts; and

**WHEREAS**, the City Commission has held a public hearing to consider the input of the general public; and

**WHEREAS**, the City Commission finds that amending the City Code to prohibit the keeping of roosters in residential zoning districts is in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:**

**SECTION 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**SECTION 2. City Code Amended.** That Article I, entitled “In General,” of Chapter 5, entitled “Animals and Fowl,” of the City of Cooper City Code of Ordinances is hereby amended by specifically creating Section 5-5, to be entitled “Keeping of Roosters,” as follows:

Sec. 5-5 Keeping of Roosters

A) Unless otherwise provided for herein, it shall be unlawful for any person to keep or cause to be kept any rooster within any residential zoning district in the City, as set forth in Chapter 23 of the City’s Code of Ordinances. This prohibition shall not apply to the following zoning districts established by Sec. 23-1 of this Code: (A-1) Agricultural District, (E-1) Estate District, (E-2) Rural Estate District, or (E-3) Agricultural Estate District.

B) Enforcement. This subsection may be enforced by the City as follows:

- 1) As provided by the City’s code enforcement procedures founding Chapter 13 of this Code;
- 2) As provided in Sec. 1-8 of this Code; or
- 3) Through any legal remedy available to the City.

**SECTION 3. Conflict.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

**SECTION 4. Severability.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**SECTION 5. Codification.** It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, that the Sections of this ordinance may be

renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

**SECTION 6. Effective Date.** This Ordinance shall become effective upon passage and adoption.

**PASSED AND ADOPTED on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**PASSED AND FINAL ADOPTION on Second Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
GREG ROSS  
Mayor

ATTEST:

\_\_\_\_\_  
TEDRA ALLEN, MMC

Approved As To Legal Form:

\_\_\_\_\_  
JACOB G. HOROWITZ  
City Attorney

**ROLL CALL**  
Mayor Ross \_\_\_\_\_  
Commissioner Green \_\_\_\_\_  
Commissioner Shrouder \_\_\_\_\_  
Commissioner Katzman \_\_\_\_\_  
Commissioner Mallozzi \_\_\_\_\_