



## NOTICE!

**CHRISTMAS IN JULY-POKER RUN POSTPONED UNTIL FALL! - NEW THEME**  
(Due to unforeseen circumstances this Event is postponed; hopefully this has not caused any inconvenience). Look for details to follow on the new date.

### Q&A from General Meeting 7/13/21: Subject --Code Compliance

We were fortunate to have Tracey Jewell, Code Compliance Officer for Charlotte County speak at the July Harbour Heights Civic Association General Meeting, accompanied by Paul Davis from the office. Tracey noted that if there is a violation, the office would give a notice to the owner on site or send a letter to correct the violation. Tracey commented on the most common code violations:

- Tall grass and junk-like conditions. Junk-like conditions apply to all properties and are not allowed. A vacant lot with no primary structure, concrete slab or driveway does not have to be mowed and maintained.
- No box vans, flat-bed trucks, or commercial vehicles can remain on property: and no utility trucks or tow trucks. Tow trucks are allowed if the company/business they are with is listed on the CCSO tow rotation list.
- RVs, utility, box or boat trailers should be parked in the driveway or behind the leading edge of the house. They must be licensed and operable. A motor home (under its own power, not towed) can be parked in the yard (as long as it is licensed and operable); RVs and motorhomes cannot be used for living purposes.

Concerns from the audience and responses:

Q. Are chickens permitted?

- A. No roosters are permitted in Harbour Heights (residential area), but hens may be on property (this will depend on the size of the property). However, they must be registered with the county and the owner must take a class on raising chickens. No ducks are permitted. No chickens can be kept on a vacant lot.

#### **Section 3-9-69. - Conditional uses and structures.**

##### **Residential uses.**

- a) 4H, FFA and similar uses and activities (RSF, RMF, RMF-T, MHP, MHC).
- b) Official documentation showing proof of participation in 4H, FFA or similar programs must be submitted to the county.
- c) The uses and activities must cease at the completion of the 4H, FFA or similar programs.
- d) Three (3) chickens (no roosters) shall be allowed. The pen shall not be located within ten (10) feet from the side and rear property lines and behind the leading edge of the living area of the residential structure.

### **Accessory Chicken Keeping (RSF)**

- a. This use must be accessory to a properly permitted residential use and structure.
- b. No more than four hens (*Gallus Gallus Domesticus*) on a lot no smaller than 10,000 sq. ft. (or any lot legally created prior to October 22, 1992, or six hens on lots 20,000 sq. ft. or greater, may be kept in the rear yard.
- c. Roosters are prohibited.
- d. The killing and dressing of chickens is prohibited.
- e. The hens shall be provided with a covered enclosure (i.e. "hen house/coop") and must always be kept in the covered enclosure or within a fenced enclosure if outside for exercise. If the enclosure is not readily movable for a storm event, it must be properly permitted and secured. Hens must be secured within the henhouse/coop during non-daylight hours. All areas where the chickens are located, including the coop, must be shielded on all sides by a fully opaque, six-foot-high, fence or wall. The fully-opaque, six-foot high fence or wall may enclose all or a portion of the yard so long as the coop and any outdoor area is fully enclosed.
- f. The space per hen in the henhouse/coop shall not be less than four square feet per hen.
- g. No covered enclosure or fenced enclosure shall be located in the front yard, nor shall the henhouse/coop be closer than the required accessory structure yard setbacks to any property line of an adjacent property. Odors from hens, hen manure, or other hen related substances shall not be detectable at the property boundaries.
- h. All enclosures for the keeping of hens shall be constructed and maintained as to prevent rodents or other pests from being harbored underneath, within, or within the walls of the enclosure. The henhouse/coop must contain a barrier or barriers to prevent entry of rodents, wild birds, and predators, including coyotes, bobcats, dogs and cats. Enclosures shall be kept in neat condition, including provision of clean, dry bedding materials and regular removal of waste materials. All manure not used for composting or fertilizing shall be removed promptly.
- i. All feed and other items associated with the keeping of hens that are likely to attract, or to become infested with, or infected by rodents or other pests shall be kept in a secure location, container, or otherwise protected to prevent rodents and other pests from gaining access to or coming into contact with them.
- j. The sale of eggs or any other hen products generated in a residential single-family district must be sold in a zoning district with permits the retail sale of such items.
- k. No animal that kills a hen will, for that reason alone, be considered a dangerous or aggressive animal.
- l. Chickens that are no longer wanted by their owners shall not be taken to Animal Control, nor shall they be released.
- m. The owners of the chicken(s) must register their location with the department responsible with enforcement of the Land Development Regulations.
- n. The owners of the chicken(s) and any person living in the household who will be responsible for caring for the chicken(s) must take the "Chickens In Your Backyard" course provided by the UFIFAS Extension Office.
- o. County staff shall have the right to conduct an inspection to ensure compliance with these regulations.

Q. What do we do about abandoned boats?

A. Those concerns should be reported to the Fish and Wildlife Commission, Marine Patrol, or file a complaint with Code Compliance and they will forward to the correct agency.

Q. How are right-of-ways calculated?

A. Generally, a telephone pole is a guide (not always accurate). Row personnel should be contacted for questions about your property's right-of-way measurement.

Q. Can downspouts drain onto a neighbor's property?

A. No, they should be rerouted. ( I am waiting to hear back from the Builder Inspector Supervisor to get the correct answer). I will send you an updated answer when he responds to my email. For now this is what I have found in the codes regarding storm water drainage.

## **International Property Maintenance Code**

Section 304

Exterior Structure

**304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roofwater shall not be discharged in a manner that creates a public nuisance.

## **Florida Building Code**

### **Chapter 11 Storm Drainage**

#### **Section 1101 General**

##### **1101.1 Scope**

The provisions of this chapter shall govern the materials, design, construction and installation of [storm drainage](#).

##### **1101.2 Disposal**

[Rainwater](#) from roofs and [storm water](#) from paved areas, yards, courts and courtyards shall [drain](#) to an approved place of disposal. For one- and two-family dwellings, and where approved, [storm water](#) is permitted to discharge onto flat areas, such as streets or lawns, provided that the [storm water](#) flows away from the building.

##### **1101.3 Prohibited Drainage**

[Storm water](#) shall not be drained into [sewers](#) intended for [sewage](#) only.

##### **1101.4 Tests**

The [conductors](#) and the building [storm drain](#) shall be tested in accordance with [Section 312](#).

##### **1101.5 Change in Size**

The size of a [drainage](#) pipe shall not be reduced in the direction of flow.

##### **1101.6 Fittings and Connections**

All connections and changes in direction of the [storm drainage system](#) shall be made with approved [drainage](#)-type fittings in accordance with [Table 706.3](#). The fittings shall not obstruct or retard flow in the system.

Harbour Heights is Code Area 6. The office cannot take anonymous complaints. If you have any concerns or questions, please contact Tracey @ 941/623-1076 or via email @ [Tracey.Jewell@CharlotteCountyFL.gov](mailto:Tracey.Jewell@CharlotteCountyFL.gov)