

ORDINANCE 25 – 11

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING ARTICLE 1, ADMINISTRATION, DIVISION 2, DEFINITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is authorized by general law, e.g., Section 125.01(h), Florida Statutes, to establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners (Board) has adopted a Land Development Code (LDC) as is required by Section 163.3202, Florida Statutes; and

WHEREAS, from December, 2024 to February, 2025, the Land Development Regulation Commission (LDRC) held a series of workshops to review, revise, and consider staff proposed LDC amendments identified herein; and

WHEREAS, pursuant to LDC Section 2.4.3, the Land Development Regulation Commission held a duly noticed public hearing on this proposed ordinance amending the LDC on March 5, 2025; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board of County Commissioners held duly noticed public hearings on this proposed ordinance amending the LDC on March 25, 2025 and April 8, 2025;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida, as follows:

Note: Deletions are shown in ~~strikeout~~ text. Additions are shown in underscore text.

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). The following amendments to the LDC are hereby approved and adopted pursuant to Florida Statutes and the Marion County Land Development Code:

A. Article 1 of the Marion County Land Development Code, Administration, Division 2, Definitions, is hereby amended to reflect the attached revised definitions:

See Attachment 1 (additions shown in underline text, deletions shown in ~~strike-through text~~).

SECTION 2. CONFLICTS. In the event that any provision of this ordinance is in conflict with any other county ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this ordinance is held 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 provisions of this ordinance. The Board of County Commissioners do not intend that this ordinance be held applicable in any case where its application would be unconstitutional, as a constitutionally permitted construction is intended and shall be given.

SECTION 4. INCLUSION IN COUNTY CODE. It is the intent of the Board of County Commissioners of Marion County, Florida, and it hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, specifically, the Land Development Code, and that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intent.

SECTION 5. EFFECTIVE DATE. A certified copy of this ordinance shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this 8th day of April, 2025.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

KATHY BRYANT, CHAIRMAN

ATTEST:

GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

1 **ANIMAL RELATED BUSINESS.** Any for-profit person or business that renders services to, for or
2 by any domestic animal. Examples of animal related business include, but are not limited to, boarding
3 facilities, doggie day cares, groomers and training facilities. Animal related business does not include the
4 offices or practices of State-certified and licensed veterinarians.

5 **ANIMAL RELATED ORGANIZATION.** Any not for profit entity that has tax exempt status in
6 accordance with Section 501(c)(3) of the Internal Revenue Code and whose primary mission includes the
7 rescue, welfare, care, and/or adoption/placement of stray, abandoned, or surrendered animals, and
8 which does not obtain animals from a breeder or broker for payment or compensation.

9 **COMMERCIAL BREEDER.** Any person, firm, partnership, corporation, or other association that
10 engages in the breeding of four (4) or more dogs or cats, in aggregate.

11 **HIGH-VOLUME OWNER.** Any person, business, or organization who owns, harbors, or keeps
12 more than fifteen (15) dogs or cats, in aggregate, at a property or structure, for any purpose, including,
13 but not limited to, housing, boarding, breeding, training, show or exhibition, hunting, sale, rescue,
14 adoption or personal pet or use. Such definition does not include any property or structure where a
15 Florida state licensed veterinarian practices and has a premises permit, as required by F.S. Ch. 474, or
16 any property or structure used as a veterinary hospital, medical research laboratory, pari-mutuel dog
17 racing establishment, or any governmental agency, or to any boarding kennel operated in conjunction
18 with any of the foregoing. Such definition shall not include Marion County Animal Services.

19 **KENNEL.** Any place or premises where four or more dogs and/or cats, in aggregate, over four
20 months of age are groomed, bred, raised, boarded, or trained for compensation or income including an
21 Animal Related Business; Animal Related Organization; Commercial Breeder; and High-Volume Owners
22 with over thirty (30) dogs and/or cats in aggregate.