

CITY OF KAUKAUNA
ORDINANCE NO. 1919-2025
ORDINANCE CREATING SECTION 12.16

WHEREAS, on August 20, 2024, a request to obtain a permit for pigeons was received by the Common Council pursuant to City Ordinance 11.12; and,

WHEREAS, in review of that Ordinance the City realized issuance of a permit for keeping or housing pigeons was unable to be met because the City's board of health, the governing body to issue the permit, is no longer in existence; and,

WHEREAS, discussions were had during City Common Council meetings as to whether the City wished to continue to permit residents to own pigeons within the City limits; and,

WHEREAS, through review of the ordinance and discussions with the Common Council it was determined that updates were needed to ensure clarity on the application of certain rules to the keeping of pigeons, as well as bees, the allowance of rabbit ownership without the need for a permit, and for readability updates; and,

WHEREAS, the Legislative Committee has recommended the following ordinance changes; and,

WHEREAS, the Common Council finds the following ordinance changes to be in the public interest;

NOW THEREFORE, it is ordained by the Common Council of the City of Kaukauna, Wisconsin, that Ordinance Section 12.16 of the Kaukauna Municipal Code be created as follows:

BEFORE ADOPTION

12.16 (Reserved)

AFTER ADOPTION

12.16. Loft License

Effective January 1, 2025, persons in the city that wish to have lofts for the keeping of homing, sporting, and show pigeons, may maintain such lofts, provided an annual license is granted by the common council of the city as set forth herein:

(1) *Definitions.* For the purposes of this section, the following terms have the meaning indicated:

Governing Organization means an accredited pigeon organization that oversees local clubs; examples of this include the American Racing Pigeon Union (AU), International Federation of American Homing Pigeon Fanciers (IF), and the National Pigeon Association (NPA).

Bands means bands put on the legs of domesticated pigeons that identify them with a governing organization, club, and/or owner.

Loft means a shelter specifically designed for the keeping of pigeons.

Banded Pigeon means a pigeon that has been registered with a governing organization and identified by the band it wears.

(2) *Terms and conditions:*

- a. Loft licenses will be issued on an annual basis commencing the calendar year January 1 and terminating on December 31 of the same calendar year. All applicants shall pay the annual loft license fee as from time to time set by the city council, shall complete an annual loft license application form provided by the city clerk, which shall include, among other pertinent information as the city may deem necessary: the proposed location of the lofts; the size of such lofts; and the maximum number of pigeons that will be on the applicant's property.
- b. No more than ten (10) loft licenses shall be issued and in effect at any one time. Opportunities to apply for a loft license will be on a first come, first served basis. Licenses shall be issued to the first ten (10) applicants evidencing conformance with all requirements set forth in this section 12.16.
- c. The applicant for the loft license shall be the owner of the loft and, if not the property owner, the owner of the property shall also sign said application.
- d. Loft licenses are not transferable to other property or person(s). Loft licenses are granted and valid for a specific property location that contains the lofts.
- e. The number of pigeons that can be maintained on a property for which a loft license is issued may not at any time exceed 50.
- f. All applicants obtaining a license for the keeping of racing pigeons shall provide the city clerk a listing of all serial numbers on the Bands.
- g. The loft shall be of such sufficient size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition.
- h. There shall be at least one cubic foot of space in any loft for each mature pigeon kept therein. The area of the loft shall not exceed 170 square feet, and the height of the loft shall not exceed 10 feet.
- i. The construction and location of the loft shall not conflict with the requirements of any building code or zoning code in the city and meet setback requirements of an accessory structure as per the zoning of the property.
- j. All feed for said pigeons shall be stored in such containers as to protect intrusion by rodents and other vermin.
- k. The loft shall be maintained in a sanitary condition.
- l. All pigeons shall be confined to the loft, except for limited periods necessary for exercise, training, and competition.

- m. All pigeons shall be fed within the confines of the loft.
- (3) *Approval process:*
- a. Upon a completed application and the payment of the appropriate license fee, the application will be reviewed by the Planning and Community Development Department.
 - b. The fee for a loft license issued during any calendar year shall not be prorated for the calendar year for which it is issued.
- (4) *Revocation of license.* A sworn complaint for revocation of a loft license may be made in writing by any resident of the city and filed with the city clerk. The complaint shall be heard by the Common Council after notification of a minimum of three days' notice prior to said hearing to the licensee. After hearing the testimony and evidence of the complainant and the licensee, if the Common Council determines that the license is in violation of city ordinances, the license may be revoked. If a loft license is revoked, no new loft license shall be granted to the license holder or the property upon which the license was revoked for a period of two years from date of revocation. Upon revocation of a loft license both pigeons and loft shall be removed within 30 days of revocation. If the pigeons and/or loft are not removed during that time period, the city shall enter upon the premises and cause the loft and any pigeons therein to be removed and the city shall recover the costs and expenses thereof from the permit holder.
- (5) *Inspection.* In the granting of a loft license, the owner of the property and/or the person granted the license, consents to the city inspecting the property for purposes of compliance with city ordinances.
- (6) *Penalty.* In addition to subsection (3) hereinabove, any person who violates any provision of this section may be subject to the penalties set forth in section 25.04 City Code.

Introduced and adopted by Common Council on the 4th day of February, 2025.

APPROVED: _____

Anthony J. Penterman, Mayor

ATTEST: _____

Kayla Nessmann, Clerk