



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Common Council
From: Dave Kittel, Director of Planning and Community Development
Date: 1/30/2025
Re: Pigeon Ordinance

After the last discussion in January on the City of Kaukauna's Pigeon keeping ordinance, the Common Council directed staff to clarify a few points on the proposed ordinance updates for keeping of pigeons. A restriction of height of the loft, the number of permits and clarifications on removal have been added.

To help better reference the changes being proposed staff created a chart to lay out the changes of where parts of 11.12 would be moved the text in red is what has been added to address the items requested by the Council:

Current	Proposed location
11.12(1)	9.15(14)
11.12(2)	9.15(15)
11.12(3)	9.15(16) and 12.17



Section	Before	After
9.15(4)	<p><i>Animals not to run at large.</i> It is unlawful for any person who is the owner of, or in possession of, or charged with the care of, any animal to permit same to run at large within the city. All animals off the owner's premises must be leashed.</p>	<p><i>Animals not to run at large.</i> It is unlawful for any person who is the owner of, or in possession of, or charged with the care of, any animal to permit it to run at large within the city. All animals off the owner's premises must be leashed. Banded pigeons licensed under Ordinance 12.16 and bees kept via beekeeping pursuant to Ordinance 12.15 are exempted from this provision.</p>
9.15(6)	<p><i>Prohibited areas for animals.</i> Leashed dogs are permitted in select municipal parks, including: Central Park, Fassbender Park, Kelso Park, Konkapot Preserve, Nature View Park, Quarry Point Park, Rapid Croche Park, Thilwerth Park, Van Eperen Park, and on the following trails: Fox Heritage Trail, Konkapot Trail, Nelson Family Heritage Crossing Trail, and Travis Dercks Memorial Trail. Off-leash dogs are permitted in the City of Kaukauna Dog Park only. Any person owning, keeping or in charge of any animal shall not permit such animal to be in any other public park in the City at any time, except as authorized in writing by the park department. The provisions of this section shall not be applicable in cases in which a person is being assisted by a service animal.</p>	<p>Permitted areas for animals. Leashed dogs are permitted in select municipal parks, including: Central Park, Fassbender Park, Kelso Park, Konkapot Preserve, Nature View Park, Quarry Point Park, Rapid Croche Park, Thilwerth Park, Van Eperen Park, and on the following trails: Fox Heritage Trail, Konkapot Trail, Nelson Family Heritage Crossing Trail, and Travis Dercks Memorial Trail. Off-leash dogs are permitted in the City of Kaukauna Dog Park only. Any person owning, keeping or in charge of any animal shall not permit such animal to be in any other public park in the City at any time, except as authorized in writing by the park department. The provisions of this section shall not be applicable in cases in which a person is being assisted by a service animal.</p>
9.15(8)(b)	<p>It is unlawful for any person to permit an animal to be on such property, public or private, not owned or possessed by such person unless such person has, in his immediate possession, an appropriate means of removing animal excreta. This shall not be applicable in cases in which a person is being assisted by a seeing-eye dog.</p>	<p>It is unlawful for any person to permit an animal to be on such property, public or private, not owned or possessed by such person unless such person has, in his immediate possession, an appropriate means of removing animal excreta. This shall not be applicable in cases in which a person is being assisted by a seeing-eye dog or for banded pigeons under Ordinance 12.16.</p>

9.15(13)(e)	<i>Penalty.</i> Any owner who refuses to comply with an order issued under this section to deliver an animal to an officer, isolation facility, or veterinarian, or who does not comply with the conditions of an order that an animal be quarantined, shall forfeit not less than \$100.00 nor than \$1,000.00.	<i>Penalty.</i> Any owner who refuses to comply with an order issued under this section to deliver an animal to an officer, isolation facility, or veterinarian, or who does not comply with the conditions of an order that an animal be quarantined, shall forfeit not less than \$100.00 nor more than \$1,000.00.
11.12(1)	No person shall keep or harbor any reptiles, pigs, sheep, goats, cattle, horses, ducks, geese, bees, or hives of bees within the corporate limits of the city. No person shall keep or harbor any pigeons, doves, or game birds, or build, erect, or maintain and use on any lot or parcel of land within the city limits any building or yard for the purpose of keeping or housing pigeons, doves, or other fowl without first obtaining a written permit from the city board of health and payment of the fee of \$5.00 for a two-year period. The issuance of such written permit shall depend upon the compliance of the applicant with standards of health and sanitation as set down by the city board of health, and such premises shall be at all times open to inspection to representatives of such board.	No person shall keep or harbor any reptiles, pigs, sheep, goats, cattle, horses, ducks, or geese within the corporate limits of the city. No person shall keep or harbor any pigeons or build, erect, or maintain and use on any lot or parcel of land within the city limits any building or yard for the purpose of keeping or housing pigeons without first obtaining a permit as stated in Ordinance 12.16.
11.12(2)	No person shall possess, keep, or harbor rabbits in the city as a commercial enterprise. No more than four rabbits shall be permitted to be kept as pets in a household at any time. No person shall keep, possess, or harbor pet rabbits without first obtaining a written permit from the board of health and payment to the city of a \$5.00 fee for a two-year period. No permits shall be issued except upon compliance with standards specified by the city board of health.	No person shall possess, keep, or harbor rabbits in the city as a commercial enterprise. No more than four rabbits shall be allowed to be kept as pets in a household at any time.
11.12(3)	No person shall possess, keep, or harbor chickens in the city as a commercial enterprise. No person shall possess, keep, or harbor roosters in the city.	No person shall possess, keep, or harbor chickens in the city as a commercial enterprise. No person shall possess, keep or harbor roosters in the city. Chickens may only be allowed as stated in Ordinance 12.17.

11.12(3)(b)	<i>Permits limited.</i> Not more than ten (10) chicken keeping permits shall be issued and in effect at any one time. Permits shall be issued to the first ten (10) applicants evidencing conformance with all requirements set forth in this section 11.12(3).	<i>Permits limited.</i> Not more than ten (10) chicken keeping permits shall be issued and in effect at any one time. Permits shall be issued to the first ten (10) applicants evidencing conformance with all requirements set forth in this section 12.17.
12.16(2)(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 a 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.	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.
12.16(2)(b)	This is a new addition to the ordinance. The original 12.16(2)(b) has been moved down to 12.16(2)(c), 12.16(2)(c) to 12.16(d), etc.	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.
12.16(2)(g)	There shall be at least one square foot of floor space in any loft for each mature pigeon kept therein.	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.

12.16(3)(a)	Upon a completed application and the payment of the appropriate license fee, the application shall be submitted to the city council (will be reviewed by Planning and Community Development Department)	Upon a completed application and the payment of the appropriate license fee, the application will be reviewed by the Planning and Community Development Department.
12.16(4)	<p><i>Revocation of license.</i> 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.</p>	<p><i>Revocation of license.</i> 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.</p>

Recommendation:

Approve the updated ordinances for 12.16, 12.17, 11.12 and 9.15