



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Common Council

From: Dave Kittel, Director of Planning and Community Development

Date: 12/30/2024

Re: Pigeon Ordinance

After the last discussion in October 2024 on the City of Kaukauna's Pigeon keeping ordinance, the Common Council directed staff to update the provisions on keeping of pigeons. One of the main reasons for this item coming up is that the existing ordinance approval process called for approval through a board that is no longer in existence. Through the review process to update and clarify the ordinance a few additional items came up. Rabbits had a permit process similar to pigeons and had quoted the same board and bees per section 11.12 are not allowed but section 12.15 allows for bee keeping. As part of the updates for pigeons, revisions have been made to update these items as well.

Staff is currently recommending that Section 11.12 be removed and held in reserve with the bulk of the regulations in this section then moved to 9.15 where animals and restrictions on animals are discussed. Section 9.5 would also be updated to allow for banded pigeons and bees to be exempted from 9.15(4) animals at large. In addition, the portions of 11.12(1) and (2) that restricted type of animals prohibited in the City would be moved to section 9.5. This provides clarity and simplifies the review process when questions arise on what is or not allowed. Pigeon permits would be placed in section 12 as well as chicken permits being moved to section 12. This aligns better with how section 12 has been organized.

Under these updates Section 12.16 would be created to regulate lofts in the city. This section includes definitions for clarity and provisions for size and location of the loft. The proposed maximum number of pigeons is 50 with the loft needing at least one (1) square foot of floor space per pigeon. The loft is to be kept clean and the birds are to be confined to the loft except for exercise, training and competition. For simplicity the fee will be the same as chickens (\$24) and to be renewed annually. The loft would need to be at least three (3) feet from the property lines and in the rear yard area, the same for an accessory structure.

Some additional items that staff noted upon review of these ordinances is that currently all reptiles are not allowed in the City. While the exact reasoning for this is not known having regulation on certain type of poisonous or dangerous reptiles seems appropriate but, as written this would include all reptiles such as turtles or lizards that are easily purchased at a

pet store. In addition, investigating better language on prohibited animals to better encompass farmyard or livestock type animals instead of listing animals. For instance, the ordinance states no goats, horses, sheep or cattle but what about a donkey, mule, peacock, or other type of fowl or livestock. While no change in this language is currently included in the updates it may be worthwhile to look into this language further in the near future.

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 proposed updated language is also attached for review:

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)	<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.	<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.
9.15(6)	<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.	<i>Permitted 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.
9.15(8)(b)	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.	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.
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.

Recommendation:

This is being presented for introduction of updates and discussion. Next step would be to update any items based on discussion from the introduction and bring final version through the appropriate committee and back for final action by Common Council.