

ORDINANCE NO. 5953

AN ORDINANCE TO PROHIBIT THE KEEPING OF PIGEONS AND REPEAL THE PIGEON LOFT PERMIT BY AMENDING SECTION 6.08.060 OF THE RAPID CITY MUNICIPAL CODE

WHEREAS, the City of Rapid City currently has an ordinance regulating the licensing and maintenance of pigeons within City limits; and

WHEREAS, this ordinance, with original passage in 1962, has become unnecessary and there are no citizens of the City of Rapid City in possession of a license to keep pigeons; and

WHEREAS, the City believes it prudent to rid the Rapid City Municipal Code of outdated and unnecessary provisions to ensure a concise and current set of regulations; and

WHEREAS, the City Council believes it best to amend this ordinance to simply prohibit possession of pigeons in the City limits.

NOW THEREFORE, BE IT ORDAINED, by the City of Rapid City, that Section 6.08.060 of the Rapid City Municipal Code is hereby amended as follows:

6.08.060 Pigeons.

A. No person may keep, maintain or harbor pigeons, ~~unless the pigeons are kept, maintained or harbored in a duly licensed pigeon loft, as defined herein.~~

~~—B.— The building inspection division shall issue a permit to maintain a pigeon loft and to use the same for the keeping of pigeons to an applicant for the permit as herein provided.~~

~~—C.— An applicant for a permit for the maintenance of a pigeon loft shall make an application for the permit in writing, signed by him or her, containing the following information and meeting the following requirements:~~

~~—— 1. Location of the pigeon loft;~~

~~—— 2. Description of loft, size, material used and capacity thereof, including a photograph if already constructed;~~

~~—— 3. Verification that the pigeon loft is found on inspection to be suitable for use as a loft as provided herein; and~~

~~—— 4. Verification that the construction and location does not conflict with the requirements of any building code or setback lines, side lot lines, rear lot line restrictions.~~

~~—D.— The permit for a pigeon loft shall not be denied because of any zoning restrictions for the use of land in effect within the area subject to the zoning authority of this city; provided that, the loft shall be kept as a hobby for showing or racing of pigeons and that commercial breeding and/or slaughterhouse operations will not be allowed under this section.~~

~~—E.— Any permit issued for a pigeon loft shall expressly state the capacity of the loft. The holders of permits for a pigeon loft may use the loft for the breeding, keeping, training and flying of homing pigeons kept therein.~~

~~—F.— Pigeon lofts authorized to be kept and maintained by the issuance of a permit as provided herein shall be maintained in a clean, sanitary and wholesome manner at all times and may be inspected at any reasonable time or interval by any agent, inspector, employee, member of the Board of Health or officer of the Department of Health.~~

~~—G.— An annual fee of \$5 shall be charged for each loft permit issued. The permit shall remain in full force and effect until December 31 of the license year unless the loft permit is suspended or revoked for cause.~~

~~—H.— The use of any pigeon loft within the city not in compliance with the terms of this section is unlawful and a public nuisance.~~

~~—I.— A pigeon loft permit duly issued as herein provided may be suspended or revoked by the Health Officer for the violation of any of the requirements of this code unless the holder of the permit shall appear before the Officer and show cause within 5 days of any notice of revocation as to why the permit should not be suspended or revoked.~~

CITY OF RAPID CITY

Sam Kooiker, Mayor

ATTEST:

Pauline Sumption, Finance Officer

First Reading: _____

Second Reading: _____

Published: _____

Effective: _____