

**ORDINANCE NO. 04-O-2024-2025**

**AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY ADDING A NEW SUBSECTION 8-1-1(A)(18) TO CHAPTER 8-1, NUISANCES, TO REGULATE THE KEEPING OF DOMESTIC PIGEONS WITHIN THE CORPORATE LIMITS OF STORM LAKE, IOWA**

WHEREAS, Title VIII, Chapter 8-1, Nuisances, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") regulates the health, safety, and welfare of the citizens of Storm Lake, Iowa, through the defining and prohibition of various nuisances; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) finds it proper and necessary to adopt an ordinance amending City Code Title VIII, Chapter 8-1, by adding a new Subsection, 8-1-1(A)(18), concerning the maintenance of certain domestic pigeons as a nuisance within the corporate limits of the City; and

WHEREAS, the Council hereby determines the provisions set out herein are in the public's best interests to adopt and enforce henceforth.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA, THAT:

**SECTION ONE.** Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by adding a new Subsection 8-1-1(A)(18) to Chapter 8-1, Nuisances, as follows:

18. The keeping, maintaining, or harboring of all pigeons, except as provided as follows:

- a. The keeping, maintaining, or harboring of seamless banded, domestic pigeons will not constitute a nuisance if the owner of such domestic pigeon(s) demonstrates and complies with the following:
  - i. No pigeons shall be brought to or kept on private premises until an approved permit with terms and conditions recommended by the City Manager is obtained from the City Council. Persons who have violated this Chapter or the terms of a previous domestic pigeon permit shall be denied a permit;
  - ii. The permitted domestic pigeons shall be banded by a recognized association of pigeon fanciers;
  - iii. The maximum number of domestic pigeons kept on the premises shall not exceed one hundred (100);
  - iv. Other than the time that domestic pigeons are permitted to exercise, train, or perform, as set forth in this section, the seamless banded pigeons shall be confined to fully enclosed cages or pens;

- v. During periods of permitted release for exercise, training, or performance, the owner or persons who have possession of authorized pigeons shall not permit them to occupy or interfere with the building or property of others;
  - vi. Seamless banded, domestic pigeons may be released to exercise, train, or perform for no more than two (2) hours per occasion each day. One release occasion shall be permitted in the morning hours and one occasion shall be permitted in the afternoon or evening hours for a total daily maximum release time of four (4) hours; and
  - vii. Any permitted release occasion of seamless banded, domestic pigeons shall only occur four (4) or more hours prior to their next regular feeding. For example, if a pigeon is scheduled to eat at 12:00 p.m. (noon), then the pigeon shall not be released later than 8:00 a.m.
- b. For purposes of this Chapter, “pigeons” include both male and female members of the *Columba livia*. “Domestic pigeons” shall include pigeons kept for exhibition or show purposes, or aerial performance purposes, including carrier, homing, racing, high-flying, rolling, and diving.

**SECTION TWO.** Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

**SECTION THREE.** Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION FOUR.** Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

**SECTION FIVE.** When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the 4th day of November, 2024.

PASSED on its second consideration the 18<sup>th</sup> day of November, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED AND APPROVED on its third consideration this 2nd day of December, 2024.

CITY OF STORM LAKE, IOWA

By: Michael Porsch

Michael Porsch, Mayor

No action taken by Mayor.

Vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez

Mayra A. Martinez, City Clerk

Repassed and adopted over the veto this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Veto affirmed this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by failure of vote taken to repass.

Veto affirmed no timely vote taken to repass over veto.

ATTEST:

\_\_\_\_\_  
Mayra A. Martinez, City Clerk