



Office of the City Clerk



O2012-8243

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City Council Document Tracking Sheet

Meeting Date:	12/12/2012
Sponsor(s):	Sposato, Nicholas (36) Reboyras, Ariel (30)
Type:	Ordinance
Title:	Amendment of Chapter 7-12 of Municipal Code to regarding lawful means to protect and keep majestic birds
Committee(s) Assignment:	Committee on Health and Environmental Protection

ORDINANCE

WHEREAS, homing rock doves are among mankind’s oldest domesticated birds, dating back to antiquity; and

WHEREAS, the great civilizations of Upper Egypt, Carthage and Rome made use of homing rock doves as the ultimate messengers in a communications network that allowed leaders to keep in touch across the vast reaches of their empires by utilizing the doves’ speed, endurance and innate ability to find their way home over great distances in a very short time, a vastly superior alternative to slow-moving horses or caravans; and

WHEREAS, the use of rock doves as consummate messengers spread around the world, becoming the basis of an organized postal system in China; allowing Julius Reuters to utilize a line of pigeon posts to create a news service more than 150 years ago that still carries his name today; and providing reliable front line communications for American armed services during World War I and other conflicts, long before radios became commonplace; and

WHEREAS, the keeping of rock doves became a symbol of status and power among Kings, Princes and Nobles, leading to the development of unique architectural features on their homes and castles in Europe that became known as dovecotes; and

WHEREAS, in the 19th Century, Belgium breeders of these valuable birds devised a system to identify their birds with a 1/8th inch brass ring on their legs, stamped with a unique number, a system still used today; and

WHEREAS, the courage, speed, endurance, intelligence and ability of these doves to quickly orient themselves were the key to their survival and success as messengers, these same qualities are cultivated today by pigeon fanciers who seek to preserve the strength, beauty and integrity of the bloodlines of these consummate messenger doves; and

WHEREAS, Chicago breeders of these pedigreed rock doves seek a lawful means to protect and keep these majestic birds at their homes in enclosures called lofts that are inspected and certified on a regular basis to ensure the birds are kept in clean, sanitary and healthy conditions; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporate in and made a part of this ordinance as though fully set forth herein.

SECTION 2. Chapter 7-12 of the Municipal Code of Chicago is hereby amended by adding language underscored by deleting language struck through, as follows:

7-12-387 Restrictions on pigeons.

(a) For purposes of this section only the following definition applies:

“Pigeon” means any live bird of the Family Columbidae.

(b) It shall be unlawful for any person to import, sell, own, keep or otherwise possess any live pigeon within any area designated as a residence district under the Chicago Zoning Ordinance. Nothing in this subsection prohibits any person from transporting a live pigeon through a residential district, if the pigeon is caged during transport and not released in a residential district.

(c) It shall be unlawful for any person to construct or maintain any coop or cote that is, or may be used for the storage, maintenance or sheltering of any live pigeon within any area designated as a residence district under the Chicago Zoning Ordinance.

(d) The provisions of subsections (b) and (c) of this section shall not apply to the keeping of pigeons as part of an exhibit at either Lincoln Park Zoo or the zoo at Indian Boundary Park.

(e) The provisions of subsections (b) and (c) of this section shall not apply when the following provisions have been met:

1. The owner of the pigeons is a member in good standing of a recognized national not-for-profit professional organization, or its local affiliate, that requires a minimum standard of care for the keeping and recreational use of pedigreed rock doves, homing pigeons or carrier pigeons from the species “columba livia” under currently accepted standards of pigeon husbandry and hygiene, and further, that requires members to:
 - a. Undergo a periodic certification for any enclosure (pen, cage, loft, coop, aviary, shed or other fully enclosed structure where pigeons are housed and confined) maintained by the member within the City of Chicago;
 - b. Register each and every mature pedigreed pigeon (aged 30 days or older) with the national membership organization; and
 - c. Band each and every mature pedigreed pigeon maintained by the member with the registration number assigned by the national membership organization to that pigeon.
2. Additional standards of care and treatment for registered pedigreed pigeons within the City of Chicago shall include:
 - a. The enclosures shall be of sufficient size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition;
 - b. There shall be at least one (1) square feet of floor space in any enclosure for each mature pigeon;
 - c. All feed shall be stored in such containers as to protect against intrusion by rodents and other vermin;

- d. Droppings shall be handled in a sanitary manner within a closed container and disposed of properly;
 - e. All pigeons shall be controlled by their owner so that they do not constitute a nuisance to neighboring property owners;
 - f. All pigeons shall be fed only within the confines of the enclosure; and
 - g. All pigeons registered to the owner shall be confined to the enclosure, except for limited periods necessary for exercise, training and competition between the hours of 6:00 AM and 8:00 PM, and such pigeons shall not be released for flying which have been fed within the previous four (4) hours.
3. All enclosures shall prominently display at all times on the exterior of the enclosure a valid certification by the certifying national organization which lists the owner's name, address and membership number; the name, signature, address, and telephone number of the certifying inspector(s); the name, address and telephone number of the certifying national organization; and the renewal date of the certification.
4. It is the duty of each certified pigeon owner to register at least once every three years with the city clerk on forms as prescribed by the city clerk.
- a. Application forms shall contain the owners name, signature, street address, valid membership number of a recognized pedigreed pigeon national organization, and other information required by the City Clerk.
 - b. As part of the registration application, pedigreed pigeon owners must submit a copy of the most recent enclosure certification from a recognized pedigreed pigeon owners national organization necessary to meet the requirements of this ordinance.
 - c. A processing fee of \$150.00 may be charged to the registrant.
 - d. The city clerk shall keep on file, for three years from date of issue, a copy, which may be an electronic copy, of each registration application issued.
 - e. Any person who knowingly makes a false statement of material fact on any pedigree pigeon owners registration shall be subject to the provisions of Section 1-12-010 of the Municipal Code
 - f. Current registration forms must be prominently displayed at all times on the exterior of the pigeon enclosure.
5. Any registered pedigreed pigeon owner who fails to meet the requirements of this paragraph (e), may be issued a written notice to cure the deficiency within 14 days, and if it they fail to cure the deficiency listed on the notice within 14 days from the delivery of such notice to the property owner, they may be subject to a violation with fines and penalties as outlined in paragraphs (f) and (g) below.

(e) (f) Violation of any portion of this section shall constitute a public nuisance, which may be abated pursuant to the procedures described in section 7-28-010. In addition to any fine or penalty, an amount equal to three times the cost or expense incurred by the city in abating a nuisance may be recovered in an appropriate action instituted by the corporation counsel.

(f) (g) Any person who violates any provision of this section shall be fined not less than \$100.00 nor more than \$1,000.00 or may be incarcerated for a period not to exceed six months, or both. Each day that a violation continues shall constitute a separate and distinct offense.

(g) (h) [*Reserved.*]

SECTION 3. This ordinance shall be in full force and effect after its passage and publication.

Nicholas Sposato 36TH
NICHOLAS SPOSATO

[Signature] 30