

ORDINANCE NUMBER O- 16238 (New Series)

Adopted on July 16, 1984

AN ORDINANCE AMENDING CHAPTER IV, ARTICLES 1 AND 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 41.01.16 DEFINING THE TERM FOWL, SECTION 42.0708 FOWL, RABBITS REGULATED AND SECTION 42.0709 FOWL, RABBITS - MAINTENANCE, REGULATIONS AND EXCEPTIONS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter IV, Article 1 of the San Diego Municipal Code be and it is hereby amended by amending Section 41.01.16 to read as follows:

SEC. 41.01.16 FOWL AND HOMING OR RACING PIGEON DEFINED

(a) The term FOWL shall mean chicken, turkey, goose, duck, pigeon, fancy pigeon, guinea fowl, peafowl or poultry but shall not include racing or homing pigeons;

(b) The term "racing or homing pigeon" shall mean pedigree pigeons which are banded and kept for the purpose of racing or homing sporting events conducted by a nationally affiliated sporting association such as the American Racing Pigeon Union or the International Federation of Racing Pigeon Fanciers.

Section 2. That Chapter IV, Article 2 of the San Diego Municipal Code be and it is hereby amended by amending Section 42.0708 to read as follows:

SEC. 42.0708 FOWL, RABBITS, RACING AND HOMING PIGEONS REGULATED.

Health regulated businesses shall include the keeping

or maintenance of more than:

- (a) twenty-five (25) fowl and rabbits; or
- (b) 100 racing or homing pigeons; or
- (c) any combination of (a) and (b) which exceeds 100.

Section 3. That Chapter IV, Article 2 of the San Diego Municipal Code be and it is hereby amended by amending Section 42.0709 to read as follows:

SEC. 42.0709 FOWL, RABBITS, RACING OR HOMING PIGEONS
MAINTENANCE REGULATIONS AND EXCEPTIONS

(a) No fowl or rabbits shall be kept or maintained within fifty (50) feet of any building used for residential purposes.

(b) All food for fowl, rabbits or racing or homing pigeons shall be stored in containers which offer protection against rodents as required in this Chapter.

(c) All fowl, rabbit or racing or homing pigeon droppings and food scraps shall be removed from the premises at least once a week or more frequently if, in the opinion of the Director of Public Health, it is necessary to prevent an unsanitary condition.

(d) No person shall keep or maintain in a residential zone more than:

- (1) Twenty-five (25) fowl and rabbits; or
 - (2) One hundred (100) racing or homing pigeons;
- or
- (3) Any combination of (1) and (2) which exceeds 100.

(e) Nothing contained in this section shall be deemed or construed to prohibit the keeping of fowl, rabbits or racing or homing pigeons:

(1) In a coop, box or run located and kept within a schoolhouse, museum or zoo for the purpose of study or observation;

(2) In a coop, box or run located and kept within a physician's office or laboratory, for medical research, medical treatment or scientific purposes;

(3) On premises zoned for A1-1, A1-5, A1-10, M1-A, M1, M2-A and M2;

(4) On premises where the fowl, rabbits or racing or homing pigeons are sold in the ordinary and customary course of business, and are not raised, bred or grown on such premises.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz
for John M. Kaheny, Deputy

JMK:smm
6/18/84
REV.8/14/84
Or.Dept.:Cit.Assist.
Form=o.none

JUL 16 1984

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Ellen Roward*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 3 1984

JUL 16 1984

_____, and on _____.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Ellen Roward*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number *0-16238*

JUL 16 1984

Adopted _____

01196

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
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SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C St., 12th Floor
San Diego, CA 92101
E. Bovard

IN THE MATTER OF

NO.

ORDINANCE NO. O-16238

**ORDINANCE NO. O-16238
(New Series)**

AN ORDINANCE AMENDING CHAPTER IV, ARTICLES 1 AND 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 41.01.16 DEFINING THE TERM FOWL, SECTION 42.0706 FOWL, RABBITS REGULATED AND SECTION 42.0708 FOWL, RABBITS - MAINTENANCE, REGULATIONS AND EXCEPTIONS.

This ordinance amends the definition of fowl, places a limit on the maximum number of fowl, rabbits or racing or homing pigeons that can be kept in a residential area and establishes health standards for the keeping or raising of racing or homing pigeons.

A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

Introduced on July 3, 1984.

Passed and adopted by the Council of The City of San Diego on July 16, 1984.

AUTHENTICATED BY:

ROGER HEDGECOCK,

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California.

(SEAL)

By ELLEN BOVARD, Deputy.

Published July 30, 1984

60-7703

I, Carrie Gedeon, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-16238
(New Series)

5" x 8.87 = 44.35

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

July 30, 1984

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 30th day of July, 1984.

Carrie Gedeon

01197

(Signature)