

ORDINANCE NUMBER O- **18378** (NEW SERIES)

ADOPTED ON JAN 27 1997

AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER IV, ARTICLE 1, SECTION 41.01.16, AND CHAPTER IV, ARTICLE 2, SECTIONS 42.0708 AND 42.0709 RELATING TO FANCY PIGEONS.

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 the same is hereby amended by amending section 41.01.16, to read as follows:

SEC. 41.01.16 Fowl and Homing or Racing or Fancy Pigeon Defined

(a) The term FOWL shall mean chicken, turkey, goose, duck, pigeons kept for meat or egg purposes, guinea fowl, peafowl or poultry, but shall not include racing or homing or fancy pigeons.

No change in subsection (b).

(c) The term "fancy pigeon" shall mean pedigrees which are banded and kept for the purpose of exhibition at shows conducted by a nationally affiliated fancy pigeon association such as the National Pigeon Association or the American Pigeon Club.

(d) The keeping of ~~any~~ ~~of~~ ~~several~~ pigeons shall be prohibited.

Section 2. That Chapter IV, Article 2, of the San Diego Municipal Code be and the same is hereby amended by amending sections 42.0708 and 42.0709, to read as follows:

SEC. 42.0708 Fowl, Rabbits, Racing and Homing Pigeons and Fancy Pigeons Regulated

Health Regulated Businesses shall include the keeping or maintenance of more than:

No change in subsection (a).

(b) 100 racing or homing or fancy pigeons; or

No change in subsection (c).

SEC. 42.0709 Fowl, Rabbits, Racing or Homing or Fancy Pigeons - Maintenance Regulations and Exceptions

No change in subsection (a).

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

(c) All fowl, rabbit or racing or homing or fancy 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) No change.

(2) One hundred (100) racing or homing or fancy pigeons; or

(3) No change.

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

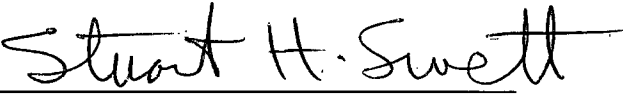
No change in subsections (1) through (3).

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

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By


Stuart H. Swett
Deputy City Attorney

SHS:smf
12/03/96
Or.Dept:IRD
O-97-48
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OLD LANGUAGE - STRIKEOUT
NEW LANGUAGE - HIGHLIGHTED

(O-97-48)

STRIKEOUT ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER IV, ARTICLE 1, SECTION 41.01.16, AND CHAPTER IV, ARTICLE 2 SECTIONS 42.0708 AND 42.0709, RELATING TO FANCY PIGEONS.

**SEC. 41.01.16 Fowl and Homing or Racing or Fancy Pigeon
Defined**

(a) The term FOWL shall mean chicken, turkey, goose, duck, pigeons kept for meat or egg purposes, fancy pigeon, guinea fowl, peafowl or poultry, but shall not include racing or homing or fancy pigeons.

No change in subsection (b).

(c) The term "fancy pigeon" shall mean pedigrees which are banded and kept for the purpose of exhibition at shows conducted by a nationally affiliated fancy pigeon association such as the National Pigeon Association or the American Pigeon Club.

(d) The keeping of feral pigeons shall be prohibited.

**SEC. 42.0708 Fowl, Rabbits, Racing and Homing Pigeons and
Fancy Pigeons Regulated**

Health Regulated Businesses shall include the keeping or maintenance of more than:

No change in subsection (a).

(b) 100 racing or homing or fancy pigeons; or

No change in subsection (c).

**SEC. 42.0709 Fowl, Rabbits, Racing or Homing Pigeons
Maintenance Regulations and Exceptions**

No change in subsection (a).

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

(c) All fowl, rabbit or racing or homing or fancy 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) No change.

(2) One hundred (100) racing or homing or fancy pigeons; or

(3) No change.

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

No change in subsections (1) through

(3).

(4) On premises where the fowl, rabbits or racing or homing or fancy pigeons are sold in the ordinary and customary course of

business, and are not raised, bred or grown
on such premises.

SHS:smf
08/09/96
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