



### **Mission Statement**

To provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage and thrive.

---

---

## **YANKTON BOARD OF CITY COMMISSIONERS**

Work Session Meeting beginning at 6:00 P.M.

**Monday, November 27, 2023**

**City of Yankton Community Meeting Room**

Located at the Career Manufacturing Technical Education Academy formerly known as Technical Education Center • **1200 W. 21<sup>st</sup> Street • Room 114**

**If you would like to watch the City Commission meeting you can do so by accessing the City of Yankton's YouTube Live Channel. <https://www.youtube.com/c/cityofyankton/live>**

TV Schedule: Mondays at 7:03 p.m. and Tuesday following meeting at 1:00 p.m. on Midco Channel 3 and Bluepeak Channel 98.

---

---

- 1. Roll Call**
- 2. Public Appearances**
- 3. Animal Ordinance**
- 4. Other Business**

*Other business is a time for City Commissioners to address the commission regarding matters not on the agenda. These items will not be deliberated by the governing body and will not be acted upon at this time. Items mentioned may be added to a future City Commission meeting or work session for deliberation or action.*

- 5. Adjourn the Work Session of November 27, 2023**

## ***Work Session Memorandum***

**To:** Amy Leon, City Manager  
**From:** Jason Foote, Chief of Police  
**Subject:** Animal Ordinance-Urban Livestock  
**Date:** November 6<sup>th</sup>, 2023

---

The City of Yankton's animal ordinances were substantially overhauled in 2013 with minor revisions in 2015 and 2021. Currently, residents are permitted to keep up to six adult domestic animals per dwelling unit, no more than three of which may be dogs. Fish are exempted from the number limitation.

The definition of a domestic animal includes: cat, dog, guinea pig, gerbil, hamster, chinchilla, degus, hedgehog, rat, mouse, sugar glider, rabbit, lizard (which are non-venomous), ferret, non-venomous snake (so long as they are less than four feet long), turtle, fish, hermit crabs and domesticated birds (such as a canary, finch, parakeet, lovebird, dove, cockatiel, parrotlet, macaw, Japanese button quail, and cockatoo). For purposes of the animal control ordinances, livestock (including miniature livestock, fowl, and exotic animals) are not domesticated animals.

Livestock and fowl are prohibited with the following exceptions:

- When kept in the ordinary course of business, livestock and fowl may be temporarily kept at a public auction ring, livestock commission house, veterinary clinic and treatment facility, locker plant or hatchery.
- Livestock and fowl may be transported through the city.
- Horses may also be temporarily brought into the city to participate in parades and for use in a properly licensed horse-drawn carriage operation.
- A person may possess up to six chicken hens so long as the hens are confined in a manner not visible to the traveling public or the surrounding property owners.
- A person may possess up to six homing pigeons.

Certain aspects of the animal ordinance have been constant over time including:

- Pet licensing requirements.
- Vaccination requirements.

Animals such as goats and potbelly pigs fall into the definition of livestock in our ordinance but are viewed by some as companion animals. While many different kinds of animals can provide comfort and companionship, the presence of livestock (no matter the size) may pose a significant challenge and risk in urban environments.

Livestock, or what some cities have classified as hooved mammals, can present concerns within city limits. These concerns are not only for residents but also for the safety and wellbeing of the animals. Despite efforts to contain them, the livestock can escape enclosures or be difficult to control, potentially causing traffic accidents or physical harm to themselves or others. Owners of these animals or officers acting in an animal control capacity may not have the appropriate training or tools to care for those animals or address specific animal behaviors.

Zoning and space constraints could also be an issue. Some zoning districts offer higher densities and are often zoned for specific purposes. The presence of livestock may not be suitable for

some denser land uses. This can create disputes and conflicts among residents and lead to challenges in land use regulations. For example, individuals living in the downtown Central Business District in multifamily or mixed-use buildings would likely find it difficult to provide appropriate food, bedding, and waste removal needs of livestock.

If not properly managed, livestock generated waste can lead to sanitation issues and health risks. Contaminated water sources, foul odors, and the spread of diseases are all potential problems associated with keeping livestock within city limits.

Livestock can be noisy, leading to disturbances for nearby residents. This can result in noise complaints and neighborhood disputes. Urban environments are typically designed for human habitation, commerce, and recreation, making it challenging to balance these with the needs of livestock.

Even when designated for support or companionship, the management and enforcement regulations for livestock can be complex and resource-intensive for police officers and other staff. Allowing such livestock would require specialized equipment to transport and apprehend animals that may be loose or out of their designated area. It would require a designated place for these animals to be held if owners are unable to be located or found to be mistreating them. Heartland Humane Society is unable to shelter animals other than dogs or cats. Law enforcement officers are currently not trained to know the appropriate diet or medical needs of livestock.

Licensing and vaccination are ordinance requirements for domestic animals. Staff need training on the requirements for vaccination for livestock and a licensing procedure would need to be developed. Licensing not only ensures the community complies with specific ordinance requirements, but it is also the typical means to reunite an animal with its owner.

Below is a non-comprehensive sample of how other communities of various population sizes have addressed the issue. Like any topic there are subtle variations in how these ordinances are structured.

- Aberdeen - allows hooved animals as service animals or pets with various regulations.
- Box Elder - allows hooved animals as service animals or pets with various regulations.
- Brookings - allows specific livestock (but not pigs) with distance/space requirements.
- Harrisburg - does not allow any hooved animals.
- Hartford - does not allow any hooved animals.
- Madison - does not allow any hooved animals.
- Mitchell - pigs allowed.
- Pierre - does not allow any hooved animals.
- Rapid City - only allowed in agricultural zoning districts. Distancing requirements are maintained / specific breeds of swine allowed as pets.
- Sioux Falls - only allowed in agricultural zoning districts.
- Spearfish - only allowed in agricultural zoning districts.
- Watertown - does not allow any hooved animals.
- Vermillion - allows for livestock but not within 25 feet of any dwelling or building used for human habitation.

Communities tend to take one of three approaches (or a combination) to regulating livestock:

1. Zoning: Specific livestock are permitted or prohibited by zoning district. Generally, that means livestock are permitted in agricultural districts and domestic animals in other districts.
2. Licensing: Certain types of animals may require different licensing procedures and available facilities.
3. Permissive/Prohibitions: Some animals are allowed and others are not and/or animals are allowed with limitations in number, size, weight or other characteristics. Exceptions for service animals for visually impaired, hearing impaired, and/or physically impaired residents.

While sympathetic to the request, the current policy helps ensure public safety, maintain quality of life, and preserve intended land uses. I am recommending that we continue with the prohibition of all livestock within city limits.

Respectfully submitted,



Jason Foote  
Chief of Police

I concur with this recommendation.

I do not concur with this recommendation.

  
\_\_\_\_\_  
Amy Leon, City Manager