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MEMORANDUM

To: Ald. Scott Spiker
From: Addis Zewdie - Legislative and Fiscal Services Specialist
Date: 06/12/2025
Subject: Summary of Pending Ordinance Related to Ethical Ownership and Treatment of Animals

This memorandum is in response to your request for information regarding Common Council File Number 250028, which is currently pending before the Public Safety and Health Committee and concerns the ethical treatment of animals.

Proposed Amendments to Chapter 78, Animal Care and Control

This ordinance proposes a comprehensive overhaul of the City's animal care and control code to strengthen protections for domestic and community animals, align local standards with state law and humane best practices, and enhance regulatory oversight by the Milwaukee Area Domestic Animal Control Commission (MADACC). Key reforms include tethering restrictions, breed-neutral dangerous animal designations, mandatory microchipping, licensing, and regulated community cat programs using a trap-neuter-return (TNR) model.

I. Purpose and Intent.

The ordinance is intended to:

- Prevent animal cruelty and neglect through enhanced tethering, shelter, and outdoor care standards.
- Promote responsible ownership through reduced household pet limits and permit-based exemptions.
- Reduce stray and feral animal populations by mandating sterilization and supporting TNR.
- Establish a consistent enforcement framework under MADACC with improved accountability.
- Support public safety using behavior-based (as opposed to breed-specific) criteria to regulate dangerous animals.

II. Part Purpose and Impact.

Part 1: Fancier Definition Amendment.

- **Purpose:** Narrows the definition of "Animal Fancier" to apply to households with exactly four animals (previously five) over five months of age.
- **Impact:** Reduces residential animal ownership without a permit to four animals.

Part 2: New Definitions Created.

- **Purpose:** Introduces new terms to support precise regulatory language in managing animals.
- **Impact:** Establishes legal clarity to support new policy areas, including tethering standards, TNR programs, and microchipping.

Part 3: Household Pet Limit Reduction.

- **Purpose:** Reduces the number of dogs, cats, or rabbits allowed per dwelling unit from four to three without a permit.
- **Impact:** Enforces stricter control on multi-pet households and clarifies that multifamily residences may not obtain fancier permits.

Part 4: Litter Transfer Standards.

- **Purpose:** Regulates both intentional and accidental animal breeding by requiring:
 - Fancier permits before transfer.
 - Microchipping and vet certification.
 - Minimum age (8 weeks) for transfer.
 - Advertising and recordkeeping requirements.
- **Impact:** Promotes accountability, animal welfare, and traceability in local breeding and transfers.

Part 5: MADACC Oversight Codified.

- **Purpose:** Codifies MADACC authority under DNS by detailing:
 - Enforcement roles.
 - Community cat plan coordination.
 - TNR management.
 - Biannual reporting to Common Council.
- **Impact:** Formalizes MADACC's governance structure and expands its coordination and enforcement duties.

Part 6: Mandatory Microchipping.

- **Purpose:** Requires all dogs, cats, and rabbits over four months old to be microchipped and registered with a national database.
- **Impact:** Aims to improve animal recovery, reduce stray populations, and enhance owner accountability.

Part 7: Community Cat Nuisance Process.

- **Purpose:** Establishes a complaint and response protocol for property owners impacted by community cats.
- **Impact:** Balances TNR policy with property rights by requiring humane mitigation when nuisance behavior is confirmed.

Part 8: Repossession of Impounded Animals.

- **Purpose:** Sets reclaim fees, daily boarding charges, and microchipping and licensing prerequisites for reclaiming animals from MADACC.
- **Impact:** Encourages recovery of pets and reinforces responsible pet ownership through financial accountability.

Part 9: Dangerous Animal Policy Overhaul.

- **Purpose:** Creates a breed-neutral system for classifying animals as dangerous or potentially dangerous based on behavior.

Key provisions:

- Mandatory confinement, insurance, and owner training.
 - Tethering restrictions for large dogs that weigh over 45 pounds.
 - Appeals process and escalating penalties.
- **Impact:** Enhances public safety while eliminating discriminatory breed-based enforcement.

Part 10: Cat Sterilization and Outdoor Management.

- **Purpose:** Requires sterilization, vaccination, and microchipping of all outdoor and owned cats, with exceptions for registered breeders or medical exemptions.
- **Impact:** Supports population control and humane management of both owned and feral cat populations.

Part 11: Tethering and Outdoor Housing Standards.

- **Purpose:** Establishes strict rules for tethering dogs, including minimum age, collar type, weather conditions, supervision, and maximum tether duration.
- **Impact:** Prevents animal cruelty, injury, and neglect by aligning with humane best practices.

Part 12: Penalties and Enforcement.

- **Purpose:** Updates penalty classifications for new and revised sections, including penalties related to microchipping, community cat management, tethering standards and cat sterilization.

- **Impact:** Ensures enforceability through fine-based deterrents and aligns with existing penalty structures under Chapter 61 of the code.

III. Quick Reference

Section	Topic	Summary
78-1	Definitions	Creates new terms including community cat, altered feral cat, tether, microchip, and dangerous animal.
78-5-3	Pet Limit	Reduces pet limit from 4 to 3 per dwelling without permit; multifamily housing excluded from fancier permit eligibility
78-7	Breeder Requirements	Regulates accidental and intentional litters with microchipping, vet certification, and fancier permit.
78-8	MADACC Oversight	Codifies MADACC authority under DNS; requires biannual reports, registry maintenance, and community cat plan support.
78-17-6	Microchipping	Mandates microchipping for all dogs, cats, and rabbits over 4 months, with exceptions for temporary or recent residents.
78-19	Community Cat Nuisance	Establishes complaint and mitigation protocol for alleged community cat nuisances on private property.
78-21	Animal Repossession	Lowers reclaim fees, licensing compliance, and covers veterinary and administrative charges.
78-22	Dangerous Animals	Creates behavior-based designation system; includes leash/muzzle mandates, training, insurance, and fencing for large dogs.
78-24	Cat Management	Requires sterilization, vaccination, and microchipping for outdoor cats; codifies TNR process and abandonment prohibition.
78-31	Tethering	Restricts tethering based on weather, age, device type, duration, supervision, and shelter standards.
78-55	Penalties	Adds or reclassifies penalties for new sections, mostly at Class F level, with Class C for minor infractions.