

..Number
250028
..Version
PROPOSED SUBSTITUTE B
..Reference

..Sponsor
ALD. BAUMAN AND MOORE
..Title

A substitute ordinance relating to the ethical treatment and ownership of animals.

..Section

78-1-1	ra
78-1-1.5	cr
78-1-9.5	cr
78-1-15.5	cr
78-1-28.5	cr
78-1-29.5	cr
78-1-32.5	cr
78-1-33.2	cr
78-1-34.2	cr
78-1-38	cr
78-1-39	cr
78-1-41	cr
78-5-3	am
78-7-3	cr
78-17-6	cr
78-21-2	rc
78-21-3	cr
78-22	rp
78-31-9	cr
78-55-6-a	am

..Analysis

This ordinance creates provisions in the code regulating dangerous animal behavior, humane management of feral cats through trap-neuter-return, mandatory pet microchipping, and enhanced tethering restrictions. The ordinance also establishes standards for pet ownership, outdoor cat management, and animal care enforcement, and creates additional penalties as necessary.

..Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 78-1-1 of the code is renumbered 78-1-1.7 and amended to read:

78-1. Definitions.

1.7. ANIMAL FANCIER means any person in a residential dwelling unit who keeps, harbors, raises or possesses any combination of rabbits, dogs or cats numbering not less than, nor more than, [[5]] >>4<< animals over the age of 5 months>>, or who engages in the transfer or sale of any animal intentionally bred or from an accidental

litter. An animal fancier permit shall authorize ownership or harboring of animals only within the numerical limits established under s. 78-5-3.<<

Part 2. Section 78-1-1.5, 9.5, 15.5, 28.5, 29.5, 32.5, 33.2, 34.2, 38, 39, and 41 of the code is created to read:

78-1. Definitions.

1.5. ANCHOR SWIVEL means a device that connects the tether to the anchor and prevents twisting or tangling by allowing the tether to rotate freely.

9.5. CHOKE COLLAR means any collar that tightens around a dog's neck when pressure is applied, designed to restrict or choke the animal.

15.5. DOG SHELTER means an enclosed structure that provides a dog with adequate protection from the elements, including protection from rain, snow, sun, and extreme temperatures, and allows the dog to stand, turn around, and lie down comfortably.

28.5. MICROCHIP means a registered electronic identifier implanted under an animal's skin, linked to a registry containing the current owner's contact information.

29.5. NON-TIGHTENING COLLAR means a collar designed to maintain a consistent fit around the dog's neck without tightening when tension is applied to the leash or tether.

32.5. PINCH COLLAR means a collar composed of interlocking links with inward-facing prongs, which applies even pressure around a dog's neck when pulled.

33.2. POTABLE WATER means water that is safe and suitable for a dog or other animal to drink, free from contamination and readily accessible.

34.2. PRONG COLLAR means a collar fitted with inward-facing metal prongs that press into a dog's neck when tension is applied.

38. TETHER means a rope, chain, cable, or similar device used to secure a dog outdoors to a stationary object or anchoring device to restrict the dog's movement.

39. TRANSFER means any change in ownership or custody of an animal, whether by sale, gift, adoption, barter, or other means.

41. VETERINARY INSPECTION CERTIFICATE means a document issued and signed by a licensed veterinarian indicating that an animal has been examined and found to be free of signs of contagious or infectious disease on or near the date of transfer.

Part 3. Section 78-5-3 of the code is amended to read:

78-5. Keeping of Animals Within City.

3. NUMBER PERMITTED. No person shall keep, harbor, shelter or possess at any time more than ~~[[4]]~~ 3 rabbits, dogs or cats or any combination thereof which are over the age of 5 months unless the person holds a valid animal fancier permit, kennel permit, pet shop permit or grooming establishment permit. The keeping of more than ~~[[4]]~~ 3 rabbits, dogs or cats over the age of 5 months per dwelling unit in a multiple dwelling is declared to be a nuisance. No person in a multiple dwelling shall be granted an animal fancier permit. There shall be no more than one animal fancier permit issued to any qualified dwelling unit.

Part 4. Section 78-7-3 of the code is created to read:

78-7. Kennels, Horse Stables and Animal Fancier Permits.

3. INTENTIONALLY BRED AND ACCIDENTAL LITTER ANIMAL TRANSFER REQUIREMENTS. a. Any individual who breeds, or allows the breeding of any dog or cat within the city, whether intentionally or through an accidental litter shall obtain an animal fancier permit prior to any sale, transfer, or advertisement of any animal from that litter.

b. Every intentionally bred or accidental litter intended for sale or transfer to the public shall be:

b-1. Microchipped and registered with the Milwaukee area domestic animal control commission.

b-2. Accompanied by proof of microchipping, current vaccinations, and a current veterinary inspection certificate.

c. No puppy or kitten shall be sold, adopted, or transferred before reaching 8 weeks of age.

d. All advertisements for the sale or transfer of animals shall include the valid fancier permit number.

e. A permit holder shall maintain records for a minimum of one year documenting the origin, identification, and final disposition of each animal sold or transferred. Such records shall be made available to the Milwaukee area domestic animal control commission upon request.

f. An individual holding a fancier permit under this section shall ensure compliance with animal care standards set forth in ch. ATCP 16, Wis. Admin. Code, including but not limited to requirements for adequate shelter, space, sanitation, exercise, and access to veterinary care. Additional standards established by city ordinance or the Milwaukee area domestic animal control commission policies shall also apply.

Part 5. Section 78-17-6 of the code is created to read:

78-17. Dog and Cat Licenses.

6. MANDATORY MICROCHIPPING. a. Every dog, cat or rabbit over the age of 4 months shall be microchipped and registered with a nationally recognized pet recovery database.

b. Transfer of ownership of any microchipped animal shall be reported to a national pet microchip registry within 30 days of the transfer date. The new owner shall ensure that the microchip registration is updated to reflect current contact information.

c. The requirements of this subsection shall not apply to:

c-1. A dog, cat or rabbit temporarily visiting the city for a period not exceeding 30 consecutive days.

c-2. A dog, cat or rabbit owned by an individual who has established residency in the city within the past 30 days, provided that microchipping is completed and registered within that time.

Part 6. Section 78-21-2 of the code is repealed and recreated to read:

78-21. Impounding of Animals.

2. REPOSSESSION OF IMPOUNDED ANIMALS. a. The possession of any animal seized or impounded by the Milwaukee area domestic animal control commission shall be obtained by the owner or caretaker upon compliance with the conditions set forth in this section.

b. The fee to reclaim a stray or impounded animal shall be \$25 per impoundment.

c. In addition to the reclaim fee required under par. b, a daily fee for boarding shall be assessed for each calendar day, or portion thereof, during which the animal is held in impoundment. The amount of the daily fee shall be determined by the Milwaukee area domestic animal control commission in accordance with its current fee schedule.

d. The Milwaukee area domestic animal control commission may assess additional fees for veterinary care, administrative processing, or other services provided during the period of impoundment, as authorized under s.173.23(1), Wis. Stats., and applicable Milwaukee area domestic animal control commission policy.

e. If the animal is an unlicensed dog or cat, the owner shall obtain a valid license and pay any applicable licensing fees prior to the animal's release.

f. No animal shall be released from Milwaukee area domestic animal control commission custody until all required fees under this section have been paid in full and all applicable licensing requirements have been met.

Part 7. Section 78-21-3 of the code is created to read:

3. DOG SAFETY REGULATION. A dog owner is subject to the following safety regulations:

a. While in a public place, the dog shall be controlled using a leash no longer than 6 feet in length. The leash shall be held by a person 16 years of age or older competent to govern the animal. The leash may be held by a person younger than 16 years of age only if one of the following is true:

a-1. Prior written approval, which the handler shall carry at all times while handling the dog, is obtained from the department of neighborhood services.

a-2. The dog and handler are participating in an approved American kennel club show or other organized competition among trained owners and dogs.

b. When on private property and unsupervised, the dog shall be contained within a securely fenced area equipped with an escape prevention measure sufficient to prevent the animal from leaving the property unsupervised.

Part 8. Section 78-22 of the code is repealed.

Part 9. Section 78-31-9 of the code is created to read:

78-31. Cruelty to Animals.

9. TETHERING AND OUTDOOR HOUSING STANDARDS. No person shall tether a dog outdoors unless all of the following conditions are met:

a. The dog is of a breed or type that can reasonably tolerate tethering based on general veterinary and animal welfare standards.

b. The dog can readily tolerate tethering based on its age, health, and physical condition.

c. The dog is 6 months or older.

d. The dog is not a pregnant or nursing female.

e. The tethered dog shall be able to easily enter, stand, turn around, and lie down within a dog shelter that complies with the standard set forth in s. 78-31-8.

f. The tether is configured so that it cannot become entangled with any object, obstacle, or another tethered animal.

g. The tether shall include an anchor swivel or similar device to prevent tangling.

- h. The tether shall be at least 6 feet in length and sufficiently long to allow the dog freedom of movement based on its size.
- i. The tether is attached to the dog by means of a properly fitted, non-tightening collar or a harness appropriate for the size and strength of the dog.
- j. The tether does not exceed 10% of the dog's body weight and shall be of sufficient strength and material to prevent breakage or injury.
- k. The dog is not tethered outdoors during any period when the national weather service or local authority has issued a weather-related advisory.
- L. The dog is not tethered outdoors for more than 3 hours within any day in any 24-hour period, and not more than 2 consecutive hours at a time without a one-hour break.
- m. The dog is monitored at reasonable intervals by the owner or caretaker, who shall be physically present on the premises at all times while the dog is tethered.
- n. The dog is not tethered with a choke collar, pinch collar, prong collar, or similarly restrictive or injurious device.
- o. The dog has continuous access to clean, potable water, appropriate food, and shelter adequate to protect it from the elements at all times.
- p. The dog is not causing a disturbance or nuisance.

Part 10. Section 78-55-6-a of the code is amended to read:

78-55. Penalties and Enforcement.

6. VIOLATIONS OF CERTAIN REGULATIONS.

a. Any person violating any of the following provisions of this chapter listed in Column A for which specific penalties are not provided elsewhere in this subsection shall be liable on conviction to the penalties listed in column B and described in ch. 61:

A	B
78-3-1	Class I
78-5-1	Class F
78-5-2-a	Class C
78-5-2-b	Class L
78-5-2-c	Class F
78-5-3	Class C
>>78-5-4	Class F<<
[[78-6 to 78-19	Class C]]
>> <u>78-6 to 79-17-1</u>	<u>Class C</u>

<u>78-17-6</u>	Class F
<u>78-19</u>	Class C<<
78-22	Class F
78-23-1 to 78-23-7	Class F
78-23-10	Class I
>> <u>78-24</u>	Class F<<
78-25-1	Class K
78-27 to 31	Class F
78-35 to 47	Class C
78-49	Class F
78-53	Class F

..LRB

APPROVED AS TO FORM

K. Broadnax

Legislative Reference Bureau

Date: September 25, 2025

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

.. Requestor

..Drafter

LRB180683-3

Addis Zewdie

09/24/2025