

**CITY OF WEST ALLIS  
ORDINANCE O-2026-0224**

**ORDINANCE TO PROHIBIT FEEDING OF STRAY OR ABANDONED DOMESTIC  
ANIMALS**

**AMENDING SECTION 7.21(10)**

**WHEREAS**, abandoned or stray animals may be taken into custody by a law enforcement officer; and

**WHEREAS**, domestic animals are not allowed to be at large in the City; and

**WHEREAS**, the feeding of abandoned or stray domestic animals is inconsistent with the laws that allow such animals to be taken into custody and laws prohibiting domestic animals at-large;

**NOW THEREFORE**, the common council of the City of West Allis do ordain as follows:

**SECTION 1:**        **AMENDMENT** “7.21 Animals” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

7.21 Animals

1. Keeping of Wild Animals

- a. Prohibition. Pursuant to [Wis. Stat. 169.43](#), no person may own, possess, keep, harbor, sell, or have custody or control of a live wild animal except as allowed below. Any person who violates this provision shall pay a forfeiture of not more than \$1,000.
- b. Exceptions. A person may own, possess, keep, harbor, or have custody or control of a live wild animal if any of the following applies:
  - i. The act is authorized by state law.
  - ii. The animal cannot survive living outside of water.
  - iii. The person is any of the following:
    - (1) An agent of an institution accredited by the American Zoo and Aquarium Association
    - (2) A licensed veterinarian
    - (3) An agent of a licensed veterinary hospital or clinic, a licensed circus, a licensed or accredited research or medical institution, or a licensed or accredited educational institution.
    - (4) An agent of any government-owned or -operated facility

- (5) A holder of a valid federal permit to possess a particular wild animal
- (6) Temporarily transporting a wild animal through the City if the transit time is not more than 24 hours and the animal is at all times maintained within a confinement sufficient to prevent the animal from escaping.

2. Keeping of Domestic Animals

- a. Prohibition No person may own, possess, keep, harbor, or have custody or control of a live domestic animal, as defined in [Wis. Stat. 169.01\(7\)](#) and [Wis. Adm. Code ATCP 10.02](#), except as allowed below. Any person who violates this provision shall pay a forfeiture of not more than \$500.
  - i. A person make own, possess, keep, harbor, or have custody or control of a dog, cat, rabbit, ferret, mouse, rat, gerbil, hamster, guinea pig, chinchilla, fish, insect native to Wisconsin, non-poisonous amphibian, or indoor pet bird, as defined in [Wis. Stat. 169.01\(25m\)](#).
  - ii. A person may own, possess, keep, harbor, or have custody or control of an animal that is a service animal specifically trained to assist a person who has a disability.
  - iii. The health commissioner has issued to that person an animal fancier license to own, possess, keep, harbor, or have custody or control of that domestic animal. The health commissioner may issue a license only upon payment of the fee listed in the Fee Schedule, inspection of the premises where the animal will be kept, a determination that the particular animal will not endanger the applicant or the public, and verification that the applicant has the proper knowledge, facilities, and capacity to contain and properly care for the animal.
- 3. Quantity Limited. All adult occupants of a dwelling unit shall ensure their dwelling unit harbors no more than 2 dogs and 4 cats within that dwelling unit, unless at least one occupant first obtains an animal fancier license. Any cats or dogs under 5 months of age shall not be counted. No person may own, keep, or harbor more than the number of dogs or cats allowed by an animal fancier license issued to that person.
- 4. Dog License. [Wis. Stat. 174.05](#) is adopted as though fully set forth herein. The fee for a dog license is established in the Fee Schedule.
- 5. Cat License.
  - a. License Required. The owner of a cat more than 5 months of age on January 1 of any year, or 5 months of age within the license year, shall annually, or on or before the date the cat becomes 5 months of age, pay the cat license fee and obtain a license. The owner of a cat shall pay the appropriate license fees listed in the Fee Schedule. A person is not required to license a cat if all the following applies:
    - i. The person took custody of an abandoned or stray cat on their property,
    - ii. The person delivered the cat to an entity contracting with the City under [Wis. Stat 173.15\(1\)](#),

- iii. The entity released that cat under [Wis. Stat. 173.23\(1m\)\(a\)](#) to the same person who took custody of it,
    - iv. The person paid the full cost of custody, care, vaccination, microchip implanting, spay or neuter surgery, and any other treatment prior to the entity releasing the cat to that person,
    - v. The person relinquishes possession of the cat on the same parcel where the person took custody of it, and
    - vi. No other cat has been released on the parcel.
  - b. Term. The license year for cats shall coincide with the license year for dogs.
  - c. Issuance and Display of License. Upon payment of the required cat license fee and upon presentation of evidence that the cat is currently immunized against rabies, the city clerk shall complete and issue to the owner a tag for the cat bearing a serial number and stating the date of its expiration, the owner's name and address, and the name, sex, and whether the cat is spayed or neutered. The owner shall securely attach the tag to a collar and place that collar on the cat for which the license is issued at all times except when that a cat is securely confined on private property. In the event that a license tag issued for a cat is lost, the owner may obtain a duplicate tag upon payment of the duplicate tag fee in the Fee Schedule.
- 6. Animal Fancier License. A person may apply to the health commissioner for an animal fancier license. The applicant or licensee shall pay the appropriate license fees and late fees listed in the Fee Schedule.
  - a. License year. The license year shall coincide with the license year for dogs.
  - b. Qualifications. Before issuing an animal fancier license, the health commissioner may conduct an inspection of any premises where an applicant will keep the animal(s) subject to the license determine if the applicant is qualified. To qualify, the applicant shall prove all of the following:
    - i. All animals shall be maintained in a healthy condition or, if ill, shall be given appropriate treatment immediately.
    - ii. The quarters in which the animals are kept shall be maintained in a clean condition and good state of repair.
    - iii. Animal pens or enclosures shall be large enough to provide freedom of movement to the animals contained therein.
    - iv. Food supplies shall be stored in rodent-proof containers.
    - v. Food and water containers shall be kept clean.
    - vi. Litter and/or bedding material shall be changed as often as necessary to prevent odor nuisance.
    - vii. Yards, pens, premises and animals shall be kept free of insect infestations.
    - viii. No nuisance caused by odor, noise or animals running at large shall be permitted.
  - c. Issuance of License. Upon payment of the required animal fancier license fee and verification of the applicant's qualifications, the health commissioner shall issue to the owner an animal fancier license stating the animal(s) allowed, the date of its expiration, and the owner's name and address where the animals

will be kept or harbored. In the event that a license is lost, the owner may obtain a duplicate license upon payment of the duplicate license fee in the Fee Schedule.

- d. Revocation of License. The health commissioner may revoke an animal fancier license in the same manner as a business license under [WAMC 9.51](#) if the licensee no longer qualifies under this paragraph.

7. Animal Waste

- a. No person may allow an animal under that person's control to deposit fecal matter on any private property without the permission of the property owner or occupant.
- b. No person may allow an animal under that person's control to deposit fecal matter on any public property, unless that fecal matter is immediately removed.
- c. The owner or occupant of any private property shall remove animal fecal matter has been deposited on that property and properly dispose of it within 24 hours.

8. Local Rabies Control Program. [Wis. Stat. 95.21](#) is adopted as though fully set forth herein.

9. Animals Running At Large. Every person who owns, possesses, keeps, harbors, or has custody or control of an animal shall keep the animal within 6 feet of the person and under control at all times unless the animal is on private property with the consent of the owner or occupant. Any person who violates this section shall forfeit not less than \$25 nor more than \$100 for the first offense and not less than \$50 nor more than \$200 for subsequent offenses.

10. Feeding ~~Wild~~ Animals.

a. [Wild Animals. Wis. Adm. Code NR 19.60](#) is adopted as though fully set forth herein. Any material placed solely for the purpose of attracting and feeding wild birds is a public nuisance if it attract rats, mice, raccoons, squirrels, or other vermin.

b. [Abandoned or Stray Animals. No person may place, deposit or allow the placement of any material to feed or attract abandoned or stray domestic animals.](#)

11. Penalty. Any person who violates a provision in this section for which no specific penalty is provided shall pay a forfeiture of not more than \$500.

**SECTION 2:**            **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COMMON COUNCIL

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	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Ald. Ray Turner	_____	_____	_____	_____
Ald. Kimberlee Grob	_____	_____	_____	_____
Ald. Chad Halvorsen	_____	_____	_____	_____
Ald. Marissa Nowling	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Patty Novak	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Tracey Uttke, City Clerk, City Of West Allis

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Dan Devine, Mayor, City Of West Allis