



City of West Allis

Legislation Text

File #: O-2017-0027, **Version:** 2

Ordinance to Create Section 7.127 of the West Allis Revised Municipal Code Relating to Containment of Dogs

The Common Council of the City of West Allis do ordain as follows:

Part I. Section 7.127 of the Revised Municipal Code of the City of West Allis is hereby created to read as follows:

7.127 CONTAINMENT OF DOGS

(1) Definitions.

- (a) Unless otherwise noted in this section, all words and phrases have the same meaning as those found in Subsection 7.126(2).
- (b) "City Officer" means a city employee working within their official capacity.
- (c) "Electric Fence" means an electrical system, whether by underground wire or a wireless perimeter, that is designed to keep a pet or other domestic animal within a set of predefined boundaries by using an audible tone, mild electric shock, vibration, and/or similar means, and without the use of an actual physical barrier. An electric fence shall not be sufficient to comport with the requirements of Subsection 7.126(6)(d).
- (d) "Public Right-of-Way" means all of the area dedicated to public use existing between property lines adjacent thereto and is intended to include, but not limited to, roadways, streets, parkways, alleys and sidewalks.

(2) Containment of Dogs via Electric Fence. Any dog owner who utilizes an electric fence to help contain a dog is required to install, place, or maintain the electronic fence boundary at a distance of at least three (3) feet from any public right-of-way to ensure a safe distance between pedestrians and the dog.

(3) Penalty. Any person who violates any part of this section shall forfeit for each violation an amount as indicated in Subsection 7.16(4), plus the costs of prosecution necessitated by enforcement of this subsection. Every day that any violation of this section continues shall be deemed a separate offense.

(4) Exemptions. Any dog owner who has installed an electric fence prior to the enactment of this ordinance shall be exempt from the requirements of this section. In order to utilize this exemption to a violation of this section, a dog owner who utilizes an electric fence to contain a dog must provide documentation to the requesting city officer or City Clerk's office, which memorializes the date of installation of the electric fence. Failure to provide documentation will result in this exemption being void. Any alteration, additions, upgrades, or improvements made to the electric fence after the date of enactment of this section shall void this exemption and require the dog owner to comply with the requirements of this section.

Part II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby amended.

Part III. These ordinances shall take effect and be in force from and after its passage and publication.

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