



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 17-028

AN ORDINANCE REPEALING SECTION 10.126 *DOGS AND CATS NOT TO RUN AT LARGE* AND AMENDING, RENAMING AND RECREATING SECTION 10.126 *ANIMALS NOT TO RUN AT LARGE*

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 10.126 is hereby amended and renamed to read as follows:

Sec. 10.126. ~~Dogs and cats~~ Animals not to run at large.

- (a) It shall be unlawful to own, keep, or harbor a dog or cat or other animal ~~which runs and allow such animal to run~~ at large within the village limits.
- (b) Under the provisions of this section, a dog or cat or other animal shall be considered as running at large when it is not on the premises of its owner, unless it is on a suitable leash. A suitable leash means nylon, rope, chain or leather strap attached to the dog's collar on one end by a sturdy and secure clip and firmly attached to the individual. Any individual using a retractable/'flexi' leash should always have the dog under their control. It shall be considered a violation if a dog crosses the common right-of-way and enters into another's property.
- (c) ***Exemptions***. Dogs under the command of their owner within the confines of the Village of Weston dog park are not considered to be running at large.

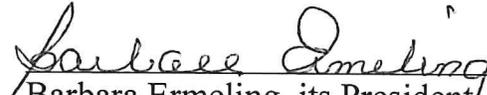
SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment

shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

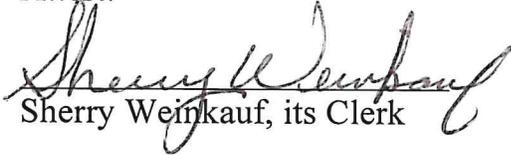
SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 24th day of July, 2017

WESTON VILLAGE BOARD

By: 
Barbara Ermeling, its President

Attest:


Sherry Weinkauff, its Clerk

APPROVED: 7/24/17

PUBLISHED: 7/26/17

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on July 24, 2017, the following Ordinances:

- Ordinance No 17-014: An amendment to Section 94.4.02(3): to allow the construction of a Townhome, create performance standards and allow the use within the 2F zoning District as a Conditional Use and establishing a prohibition on the construction of new carports for multi-family residence land uses.
- Ordinance No 17-016: An amendment to Section 94.4.02(2): to establish a prohibition of construction of new carports for two-family residence land uses.
- Ordinance No. 17-023 Amending Article II., Licenses and Fees, Sec. 6.103, Retail Liquor and Beer License Fees and Renumbering that Section of the Municipal Code.
- Ordinance No. 17-024 Amending Article II., Licenses and Fees, Sec. 6.104(e), Issuance of Alcohol Beverage Licenses and Renumbering that Section of the Municipal Code.
- Ordinance No 17-025: An amendment to Section 94.4.05(2): to prohibit the use of a “Payday Lender” or “Payday Loan Business” as defined by Wis. Stat. §§138.14 in pursuant to Wis. Stat. §§62.23(hi).
- Ordinance No. 17-027: An Ordinance to Approve the Rezoning of Land From RR-5 Rural Residential-5 Acre to RM – Rural Mixed at 3601 Camp Phillips Road, Village of Weston, Marathon County, Wisconsin.
- Ordinance No. 17-028 An Ordinance Repealing Section 10.126 Dogs and Cats Not to Run at Large and Amending, Renaming and Recreating Section 10.126 Animals Not to Run at Large

The full text of the above Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village’s website at <http://www.westonwi.gov>.

Dated this 25th day of July, 2017
Sherry Weinkauff, Village Clerk

Published: 7/26/2017

DAILY HERALD media

A GANNETT COMPANY

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- Ordinance No. 17-024 Amending Article II., Licenses and Fees, Sec. 6.104(e), Issuance of Alcohol Beverage Licenses and Renumbering that Section of the Municipal Code.
- Ordinance No 17-025: An amendment to Section 94.4.05(2): to prohibit the use of a "Payday Lender" or "Payday Loan Business" as defined by Wis. Stat. §§138.14 in pursuant to Wis. Stat. §§62.23(hi).
- Ordinance No. 17-027: An Ordinance to Approve the Rezoning of Land From RR-5 Rural Residential-5 Acre to RM - Rural Mixed at 3601 Camp Phillips Road, Village of Weston, Marathon County, Wisconsin.
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Dated this 25th day of July, 2017
Sherry Weinkauff, Village Clerk
RUN: July 26, 2017 WNAXLP

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-06-56910 -321-000

Description: WDH publication Ord
No 17-014, 17-016, 17-025, 17-027

Approved by [Signature] 8/11/17
Initials Date

\$12.73

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0002300785
No. of Affidavits: 1
Total Ad Cost: \$35.64
Published Dates: 07/26/17

10-01-51420-321-000
WDH publication Ord No
17-023, 17-024 + 17-028
\$15.27

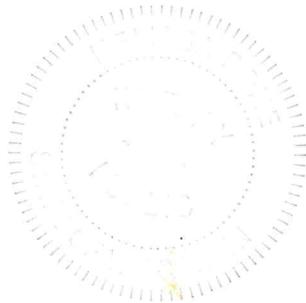
10-01-56925-321-000
WDH publication Ord No
17-014, 17-016, 17-025
\$7.64

(Signed) [Signature] (Date) 7/28/2017
Legal Clerk

Signed and sworn before me

[Signature]

My commission expires 1-12-2021



WESTON VILLAGE OF
Re: Newly Enacted Ord

VILLAGE OF WESTON, WISCONSIN AGENDA ITEM BRIEFER

1. Policy Question:

Should the Board of Trustees approve Ordinance No. 17-028 to amend the Animal Ordinance to include all animals, not just cats and dogs, from running at large within the Village?

2. Purpose:

The purpose of asking this question is to receive guidance and feedback from Village policymakers regarding the "policy question" written out above.

3. Background:

Over the last 3 months, the Humane Officer, EMPD and Planning & Development Department Staff have been taking a number of calls regarding animals, other than cats and dogs, being allowed to run at large within the Village. Currently, the Village Animal Ordinance, Sec. 10.126 only restricts dogs and cats from running at large within the Village. Our Humane Officer is contracted through the City of Wausau, where they have made some revisions to their Animal Ordinance in the last few years to include all animals, not just cats and dogs, running at large.

4. Issue Analysis:

Following discussions with EMPD Chief Sparks and Humane Officer Bishop, it was decided the Village should look to update our Animal Ordinance to better coincide with the updates the City of Wausau has done over the last few weeks as we had initially used their ordinance as a guide back in 2008 to do our original code updates. Since then, the City has made some additional changes to their ordinance and incorporated our 2008 Animal Fancier Permit into their code. I have reviewed the City's changes and feel they would address many of the new issues we are starting to see in regards to animal nuisances.

A full update to the Animal Ordinance will be coming through CLPS hopefully at the end of July and to the Board for adoption in August. This will assist the Humane Officer in enforcing ordinances within the Village as they will be similar to what she is enforcing in Wausau. In the meantime, we have an immediate need right now to update Section 10.126 so that she can begin enforcing on the animal issue on Willard Lane which we all have been receiving weekly complaints on.

5. Fiscal Impact:

Increased citation and fine fees.

6. Legal Impact:

The ordinance change is legal and is consistent with past policy practice?

7. Prior Review:

EMPD Police Chief and Humane Officer Bishop have both reviewed the ordinance amendment and are in favor of the Board making the Amendment to the Ordinance.

8. Policy Choices:

1. Approve the Ordinance Amendment as submitted.
2. Approve the Ordinance Amendment with changes (additions and/or deletions).
3. Deny the Ordinance Amendment Request.

9. Recommendation:

I recommend that the Board of Trustees approve the Ordinance Amendment as submitted.

10. Attachments:

Ordinance No 17-028 An Ordinance Repealing Section 10.126 *Dogs and Cats Not to Run at Large* and Amending, Renaming and Recreating Section 10.126 *Animals Not to Run at Large*.

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Board of Trustees – 07/24/17

FROM: Jennifer Higgins, Director of Planning and Development

DESCRIPTION: Ordinance No 17-028 An Ordinance Repealing Section 10.126 Dogs and Cats Not to Run at Large and Amending, Renaming and Recreating Section 10.126 Animals Not to Run at Large

ACTION:	<input checked="" type="checkbox"/> Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

QUESTION:
Should the Board of Trustees approve Ordinance No. 17-028 to amend the Animal Ordinance to include all animals, not just cats and dogs, from running at large within the Village.

BRIEF:

RECOMMEND: Administrator recommends approval.

COMMITTEE: Recommendation endorsed by Police Chief Sparks (7/17/17),
Endorsed by Humane Office Bishop (7/17/17)

REQUEST: Approve Ordinance No. 17-028 under Consent

Is there an additional briefer with this agenda item?

Are there additional reference documents which have been attached to this report?
