

ORDINANCE NO. 2101

AN ORDINANCE TO AMEND
SECTION 23.20 (4) and (9) OF THE MUNICIPAL CODE OF THE CITY OF SOUTH
MILWAUKEE REGARDING PIT BULL DOGS

WHEREAS, the City Attorney has advocated certain changes in the City's Dangerous Dog regulations which the Common Council believes to be meritorious;

NOW THEREFORE, The Common Council of the City of South Milwaukee does hereby ordain as follows:

SECTION 1: Sections 23.20 (4) and (9) of the Municipal Code are hereby amended to read as follows:

(4) "Pit Bull" as used in this ordinance means: Any Pit Bull Terrier, which shall be defined as any dog with characteristics of an American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier breed of dog, or any mixed breed of dog which contains as an element of its breeding the breed of American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier as to be identifiable as partially of the breed of American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Bull Terrier.

(9) Any person having information which he or she believes constitutes cause to believe that another is harboring, keeping or maintaining a Pit Bull, as defined in this ordinance, which was not registered with and licensed by the City of South Milwaukee as a Pit Bull on or before April 1, 1989 shall file with the Health Department a sworn statement setting forth the basis on which they believe the animal to be a Pit Bull, the name and address of the owner of the dog and a description of the dog or a photograph of the dog. Upon receipt of a such a sworn statement the agent of the Health Department designated by the Health Department to handle Pit Bull determinations or the City Code Enforcement Officer shall investigate the matter and if he/she determines that the dog in question is a Pit Bull as defined in these ordinances, and if the Pit Bull was not licensed as a Pit Bull before April 1, 1989, he/she shall issue a written order to the owner requiring the owner to remove the dog from the City. Any owner who objects to the determination of the Health Department agent or Code Enforcement Officer may appeal the determination to the Public Health Administrator or the Board of Health. Any such appeal shall not stay the order. Any person violating an order issued under this section shall be subject to a forfeiture of up to \$1000 for each day of non-compliance with the order. A citation alleging a failure to comply with an order issued pursuant to this section may be issued by any employee designated by the Health Department, by any police officer or by the City Code Enforcement Officer.

SECTION 2: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed

SECTION 3: This ordinance shall take force and be in effect from and after its passage and publication.

This Ordinance was adopted at a regular meeting of the Common Council of the City of South Milwaukee on February 17, 2015, seven aldermen voting in favor thereof and none voting against.

BY ORDER OF THE COMMON COUNCIL
OF THE CITY OF SOUTH MILWAUKEE

Erik Brooks, Mayor

James Shelenske, City Clerk

Date Adopted: February 17, 2015

Date Published: February 26, 2015