

**TOWN OF WEST BEND
ORDINANCE NO. 2023-02**

**ORDINANCE RELATING TO CREATING AND ADOPTING A
PET WASTE ORDINANCE**

THE TOWN BOARD OF THE TOWN OF WEST BEND, WASHINGTON
COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

Section 1. that 111-22 of the Municipal Code of the Town of West Bend be created as follows:

Section 2. Purpose: An Ordinance to establish requirements for the proper disposal of pet solid waste in the Town of West Bend, WI, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

Section 3. Definitions: For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet – a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement.
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal. Disposal into a storm drain or stormwater system is strictly prohibited.

Section 4. Requirement for Disposal: All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

Section 5. Exemptions: Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

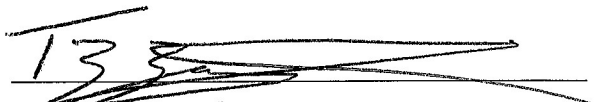
Section 6. Enforcement: The provision of this Article shall be enforced by the Police Department and the local Board of Health of the Town of West Bend, Wisconsin.

Section 7. Violations and Penalty: Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$25 for the first offense and \$100 for each subsequent violation.

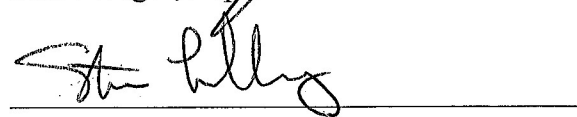
Section 8. Severability: Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and in the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section 9. Effective Date: This ordinance shall take effect upon passage and posting as provided by law.

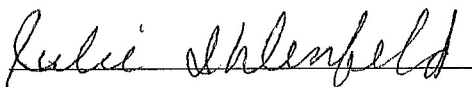
PASSED AND ADOPTED by the Town Board of the Town of West Bend, Washington County, Wisconsin this 10 day of January, 2023.


Troy Zagel, Chairman


Mark Wagor, Supervisor


Steve Lindley, Supervisor

ATTEST:


Julie Ihlenfeld, Clerk