

**VILLAGE OF ELM GROVE
LEGISLATIVE COMMITTEE MINUTES
Thursday, February 18, 2016**

Present: Trustee Domaszek, Trustee Haas, Angie Jodie, and John Collins. Casey Griffiths, Zoning & Planning Administrator, and Village Attorney Hector de la Mora

1. Call meeting to order

Trustee Domaszek brought the meeting to order. Casey Griffiths took the roll.

2. Minutes

Haas and Jodie moved and seconded to approve the September 17, 2015 minutes. Motion carried.

3. Review, discussion and possible action on an amendment to §95-Nuisances

Domaszek stated that the proposed ordinance amendment has been referred to the committee by the Public Safety Committee, after a resident had requested a review of the inconsistencies in the animal ordinance as related to dogs and the use of leashes. Domaszek stated that a mandate for leashes is not needed, individuals need to have control over their dog.

Haas noted that he had been contacted by a resident who walks her dog and that this resident's concern was that other dogs that are not on a leash could get into a tussle with her dog. There is a concern that the dog owner does not necessarily know about the dog that's not on a leash.

de la Mora stated that subjectively it is much easier to enforce the ordinance with a leash requirement, however Elm Grove is a unique enough community that replicating an ordinance which is found in a community like Wauwatosa with smaller lots and sidewalks may not make sense. A possible compromise would be to have a leash requirement on pathways and sidewalks.

Collins noted that a police officer can infer about situations where a dog does not appear to be under control by its owner.

Haas stated that there is no need for a six foot leash requirement on pathways or roads. The reason the Village Park has the six foot leash requirement is that there is a greater number of animals in the park that could interact with one another.

Discussion was held regarding the ordinance amendment language. The committee recommended that the following changes be made to the ordinance.

Section A(1) is to be changed to read: "Except for any police canine, while performing a law enforcement function, it shall be unlawful for a dog to run at large on any public property or on any private land without the landowner's permission. A dog shall be deemed at large if:"

New subsections under A(1), (a) and (b) are to be created to read as follows: "(a) It is accompanied by its owner or a member of the owner's household and is under the control or command of such a person and is not threatening or disturbing any other persons or animals, or; (b) On a Village pathway or sidewalk, except in Village parks as described under §204-3, is attached to a leash of sufficient length to restrain the dog. The leash must be of such a length to restrict the dog from contacting other people or animals."

Under A (2) "suffer" is to be changed to "permit"

Subsections B and D as currently written are to be reordered, with the current subsection B becoming the new subsection D and the current subsection D becoming subsection B.

Under the new subsection B “solid” is to be inserted in front of “waste matter”

Under subsection C, “from separate households” is to be inserted at the end of the subsection.

Haas and Jodie motioned and seconded to recommend the ordinance amendment with the changes discussed in the meeting. Motion carried.

4. Other Business
None

5. Adjourn
As there was no other business, Jodie and Collins moved and seconded to adjourn at 8:11 p.m. Motion carried.

Respectfully submitted,

Casey Griffiths
Zoning & Planning Administrator/
Assistant to the Village Manager

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