

ORDINANCE NO. 2263-11

By the Plan Commission

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE ZONING CODE
REGARDING ANIMAL CARE AND SERVICE ESTABLISHMENTS

The Common Council of the City of Brookfield do ordain that certain sections of the City Zoning Code shall be amended as follows:

PART I. Section 17.040.020. is amended to read as follows:

“Animal Hospital / Clinic and/or Veterinary Hospital / Clinic” means a facility wherein veterinary medicine is practiced, but limited to the application of medical, surgical, public health, dental, diagnostic and therapeutic principles to non-human animals, companion/exotic animals and wildlife but excluding domesticated animals, livestock and working animals as well as the boarding of non-human animals as a gainful occupation .

“Animal Hospice” means a facility providing palliative (comfort-oriented rather than cure-oriented) care until the animal dies or until the caregiver makes the decision to euthanize the animal.

“Animal Shelter/Rescue and/or Humane Society” means a facility where unwanted, stray or abandoned animals are temporarily boarded in anticipation of placement with a new owner. Services may include behavior training, grooming, boarding, veterinary medicine, spay/neutering and education programs.

“Board or Boarding” meaning to feed and/or shelter.

“Commercial Kennel” means an establishment where dogs ~~or other household pets~~ , cats, companion or exotic animals are raised, bred, boarded or cared for as a gainful occupation.

“Companion/Exotic Animals” means pets such as birds, reptiles, amphibians, fish and exotic mammals.

“Emergency Animal Hospital/Clinic and/or Emergency Veterinary Hospital / Clinic” means a facility engaging in animal hospital/clinic and/or veterinary hospital/clinic services between the hours of 9:00 p.m. and 8:00 a.m.

PART II. Section 17.24.010. is partially amended as follows:

17.24.020 Permitted uses.

J. Keeping of usual household pets; however, no kennels, ~~or~~ hutches, *animal hospice, animal shelter/rescue or humane society* may be operated;

PART III. Section 17.28.010. is partially amended as follows:

17.28.010 Permitted uses.

D. The usual household pets may be kept, but no kennels, ~~or~~ hutches, *animal hospice, animal shelter/rescue or humane society* may be operated;

PART IV. Section 17.64.010. is partially amended as follows:

17.64.010 Use regulations.

A. e. Animal hospitals / *clinics, veterinary hospitals / clinics, animal hospice, and kennels. Emergency animal hospitals / clinics and emergency veterinary hospital / clinics only as intensive uses;*

PART V. Section 17.73.010. is partially amended as follows:

17.73.010 Use regulations.

B. *Prohibited Uses.*

1. *Animal hospice*
2. *Animal shelter*
3. *Animal rescue*
4. *Humane society*

PART VI. Section 17.74.010. is partially amended as follows:

17.74.010 Permitted Uses.

A. 4. Uses allowed in the B-3 regional district limited to shopping centers, hotels, theaters, and restaurants with outdoor seating not exceeding twenty-five (25) percent of the indoor seating capacity, excluding fast food and drive-thru. The location and operating hours for the outdoor seating and adequacy of parking will be subject to plan commission approval. *Excluding kennels, animal hospice, animal hospital / clinic, veterinary hospital / clinic, emergency animal hospital / clinic and emergency veterinary hospital / clinics;*

PART VII. Section 17.75.020. is partially amended to add as follows:

17.75.020 Permitted uses.

A. 1. a. “B-3” regional business, excluding fast food with drive-thrus, hotels, motels, theaters, auto service uses, animal hospitals / *clinics, veterinary hospitals / clinics, emergency animal hospitals / clinics and emergency veterinary hospitals / clinics, animal hospices, and kennels,* and wholesale establishments.

PART VIII. Section 17.80.010. is partially amended to add as follows:

17.80.010 Permitted uses.

24. *Animal hospice, animal shelter, animal rescue and humane society*

PART IX. Section 17.108.090. is partially amended to add as follows:

17.108.090 Intensive uses.

A. 12. Animal hospice, animal shelter, animal rescue, humane society, emergency animal hospital/clinic, emergency veterinary clinic hospitals and kennels;

PART X. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

ADOPTED AND APPROVED _____ September 20 _____, 2011

Renee J. Tadych, Deputy City Clerk

Steven V. Ponto, Mayor

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