

GENERAL ORDINANCE NO. 18-10

AN ORDINANCE
AMENDING SECTION 29.208,
GREEN BAY MUNICIPAL CODE,
RELATING TO PARKING REGULATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following THREE-HOUR PARKING 7:00 AM – 7:00 MONDAY - FRIDAY zone:

GRIGNON STREET, both sides, from Monroe Avenue to Jackson Street

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following FOUR-HOUR PARKING 7:00 AM – 7:00 PM MONDAY – FRIDAY zone:

GRIGNON STREET, both sides, from Monroe Avenue to Jackson Street

SECTION 3. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following TWO-HOUR PARKING zone:

IRWIN AVENUE, east side, from a point 70 feet south of Mason Street to a point 410 feet south of Mason Street

SECTION 4. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING zone:

JACKSON STREET, west side, from Cherry Street to Chicago Street

SECTION 5. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING zone:

JACKSON STREET, west side, from a point 80 feet south of Stuart Street to Stuart Street

SECTION 6. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following TWO-HOUR PARKING 7:00 AM – 7:00 PM MONDAY - FRIDAY zones:

JACKSON STREET, west side, from Chicago Street to a point 80 feet south of Stuart Street

JACKSON STREET, west side, from Stuart Street to Cherry Street

SECTION 7. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING 7:00 AM – 11:00 AM MONDAY – FRIDAY zone:

FRANZ AVENUE, both sides, from a point 990 feet west of Main Street to a point 1130 feet west of Main Street

SECTION 8. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zones:

FRANZ AVENUE, both sides, from a point 990 feet west of Main Street to a point 1130 west of Main Street

RIDGE ROAD, east side, from Langlade Avenue to Ninth Street

SECTION 9. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following SCHOOL BUS LOADING ONLY 8:00 AM – 4:00 PM MONDAY – FRIDAY zone:

NINTH STREET, south side, from a point 340 feet west of Ridge Road to a point 200 feet west of Ridge Road

SECTION 10. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING BUS LOADING ONLY 7:00 AM – 4:00 PM SCHOOL DAYS zones:

NINTH STREET, south side, from a point 340 feet west of Ridge Road to a point 200 feet west of Ridge Road

RIDGE ROAD, west side, from a point 118 feet south of Ninth Street to a point 110 feet north of Langlade Avenue

SECTION 11. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING DURING SCHOOL HOURS zone:

RIDGE ROAD, both sides, from Langlade Avenue to Ninth Street

SECTION 12. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following SCHOOL BUS LOADING ONLY 8:00 AM – 4:00 PM MONDAY – FRIDAY zone:

RIDGE ROAD, west side, from a point 118 feet south of Ninth Street to a point 110 feet north of Langlade Avenue

SECTION 13. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING 2:00 PM – 8:00 PM MONDAY – FRIDAY zone:

SCHOEN STREET, east side, from Lilac Lane to Amy Street

SECTION 14. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO STOPPING OR STANDING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

SCHOEN STREET, east side, from Lilac Lane to Amy Street

SECTION 15. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 16. This ordinance shall take effect on and after its passage and publication, and has no financial impact on the City.

Dated at Green Bay, Wisconsin this 15th day of June, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

GENERAL ORDINANCE NO. 19-10

AN ORDINANCE
AMENDING SECTION 29.307,
GREEN BAY MUNICIPAL CODE,
RELATING TO TRAFFIC REGULATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.307, Green Bay Municipal Code, is hereby amended by adding thereto the following ONE-WAY YIELD condition:

ELM STREET at ST. GEORGE STREET

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication, and has no financial impact on the City.

Dated at Green Bay, Wisconsin this 15th day of June, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

GENERAL ORDINANCE NO. 20-10

AN ORDINANCE
AMENDING SECTION 6.201(7),
GREEN BAY MUNICIPAL CODE,
AMENDING THE DEFINITION
OF PERMANENT MERCHANT

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 6.201(7), Green Bay Municipal Code, is hereby amended to read as follows:

**SUBCHAPTER II
REGULATION OF SOLICITING AND SALES**

6.201 **DEFINITIONS.**

(7) PERMANENT MERCHANT. A merchant who has maintained a permanent retail location in Brown County **and maintained consistent business hours** open to the public at least ~~40 hours~~ **one hour** per week for at least the six months preceding the date of application.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication, and has no financial impact on the City.

Dated at Green Bay, Wisconsin this 15th day of June, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

GENERAL ORDINANCE NO. 21-10

AN ORDINANCE
REPEALING AND RECREATING SECTION 6.37,
GREEN BAY MUNICIPAL CODE,
RELATING TO ANIMAL ESTABLISHMENT LICENSE

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 6.37, Green Bay Municipal Code, is hereby repealed and recreated as follows:

6.37 ANIMAL ESTABLISHMENT LICENSE

(1) **DEFINITIONS.** In this section, the following words and phrases have the designated meanings, unless a different meaning is expressly provided or the context clearly indicates a different meaning:

(a) “Animal care records” means documents which contain any animal medical history, breeder contact information, treatments, acquisitions, disposition, behavior, or any other pertinent information.

(b) “Animal shelter” means a facility that temporarily houses homeless, lost, abandoned, or seized dogs, cats, or other types of animals until such animals are either reclaimed by an owner, adopted by a new owner, placed with another organization, euthanized, or otherwise removed from the facility.

(c) “Breeding dog” means any dog which breeds more than once in a two-year period.

(d) “Breeding service” means any business where a person causes or allows a dog to breed at least two or more times for compensation within a two-year period.

(e) “Foster home” means any place where a person cares for and houses animals upon request by an animal shelter, or by contract with an animal shelter.

(f) “Good faith effort” means to deliberately act in a manner which a reasonable and diligent person would act to fulfill a duty or follow a guideline.

~~(g)~~ (g) “Grooming service” means any business where a person performs cosmetic or cleaning services on animals for compensation two or more times in a two-year period.

~~(h)~~ (h) “Pet shop” means any business where a person offers animals for either wholesale or retail sale.

(2) **LICENSE REQUIRED.** ~~Except for any activity licensed under §173.41, Wis. Stats.,~~ **Notwithstanding §173.41, Wis. Stats.,** no person may operate a pet shop, ~~or~~ grooming service, **breeding service, or animal shelter** without having first obtained an animal establishment license.

(3) PROCEDURE FOR OBTAINING AND RENEWING AN ANIMAL ESTABLISHMENT LICENSE.

(a) Any person who seeks to obtain or renew an animal establishment license shall make application to the City Clerk on a form provided by the City Clerk and pay a licensing fee of \$100.00.

(b) The humane officer shall review the application and make recommendations to the City Clerk before the City Clerk issues or renews a license.

(c) The City Clerk shall issue or renew an animal establishment license unless the applicant owes a delinquent fee, judgment, or other debt to the City or the humane officer determines that at least one of the following applies:

1. The applicant has been convicted of any violation under Ch. 951, Wis. Stats., or a local ordinance in conformity therewith.

2. The applicant has been convicted of violating any section of this ordinance.

3. The applicant has been convicted of violating any section of Chapter 8 of the Green Bay Municipal Code.

(d) An animal establishment license shall be valid for one year from the date of issuance. A breeding dog registration shall be valid for the life of the dog.

~~(3)~~ **(4) LICENSE REQUIREMENTS.** Any person who holds an animal establishment license shall:

~~———— (a) ——— Keep all animals in enclosures which are appropriate for the types of animals contained therein.~~

~~———— (b) ——— Provide sufficient food and water for all animals.~~

~~———— (c) ——— Provide appropriate care for animals to promote wellbeing, health and safety~~

~~———— (d) ——— Keep animal care records for at least two (2) years and provide them to any humane officer, or his/her designee, upon request.~~

(a) **Make a good faith effort to comply with the standards set forth in the “Animal Care Guidelines for the Retail Pet Industry” manual published and amended from time to time by the Pet Industry Joint Advisory Council.**

(b) **Keep animal care records for at least two (2) years and provide them to any humane officer, or his/her designee, upon request.**

(c) **Ensure each dog less than one (1) year of age in his or her possession wears an identification collar with its USDA official registration number at all times.**

(d) **Post on the front of all cages/enclosures the following information:**

1. **Name, business address and phone number of the breeder, broker and facility where animal was born.**

2. **USDA License number(s), if any.**

3. **State license number(s), if any.**

4. **Whether the animal was purchased from an unlicensed facility.**

(e) **Ensure that each dog, cat, or ferret at least five (5) months of age is vaccinated for rabies within 30 days of taking possession of the animal or before transferring ownership of the animal, whichever is sooner.**

(4) (5) SPECIFIC BUSINESS REQUIREMENTS.

(a) **Pet shops shall ensure each dog and cat receives its first set of ~~shots~~ distemper and parvo vaccinations and testing/treatment for internal parasites from a veterinarian.**

(b) **Grooming Services shall maintain records of rabies vaccination and veterinarian contact information for each animal which receives grooming service.**

(c) **Breeding Services shall ensure each dog and cat receives its first set of distemper and parvo vaccinations and testing/treatment for internal parasites from a Veterinarian.**

(d) **Animal Shelters shall keep a record of approved Foster Homes and shall be liable for the acts of those Foster Homes.**

(6) BREEDING DOGS.

(a) Any person who operates a breeding service shall register all breeding dogs and pay the following registration fee for each breeding dog in addition to the fee for obtaining a animal establishment license:

1. For each male breeding dog: \$300.00.

2. For each female breeding dog: \$250.00.

(b) No dog may be used for breeding before reaching two (2) years of age, nor after reaching eight (8) years of age.

(c) No dog may be sold before reaching the age of eight (8) weeks.

(d) No person may operate a breeding service without having first obtained a seller's permit from the Wisconsin Department of Revenue.

~~(5) (7) LEMON LAW. The operator of a pet shop shall:~~

~~———— (a) Post a copy of this Lemon Law in a conspicuous location.~~

~~———— (b) Provide the buyer of any animal with early spay and neutering information, a copy of animal care records for the particular animal, and name and contact information of the animal's treating veterinarian.~~

~~———— (c) Guarantee the animal was not sick or injured on the date of sale.~~

~~———— (d) Refund the purchase price of the animal if, within seven (7) days of the sale, a veterinarian determines the animal was sick or injured on the date of sale.~~

~~———— (e) If a pet shop operator refuses to refund the purchase price under par. (d), the purchaser may commence a civil action in circuit court. If the court finds by a preponderance of the evidence that the animal was sick or injured on the date of sale, the pet shop operator shall refund the purchase price of the animal and comply with any other orders of the court.~~

A pet shop operator shall post a copy of this Lemon Law in a conspicuous location on the business premises.

(a) The operator of a pet shop shall:

1. Provide the purchaser of any animal with spay and neutering information, a copy of animal care records for the particular animal, and name and contact information of the animal's treating veterinarian.

2. Guarantee the animal was not sick or injured on the date of sale.

3. Reimburse the purchase price of the animal to the purchaser if within seven (7) days of the sale a veterinarian determines the animal was sick or injured on the date of sale. Upon reimbursement, the purchaser is under no duty to return the purchased animal to the licensee.

(b) If a pet shop operator refuses to refund the purchase price under sub. (a)3., the purchaser may commence a civil action in circuit court. If the court finds by a preponderance of the evidence that the animal was sick or injured on the date of sale, the pet shop operator shall reimburse the purchase price of the animal, pay reasonable costs sustained by the purchaser to commence and litigate the action, and comply with any other orders of the court. Upon reimbursement, the purchaser is under no duty to return the purchased animal to the licensee.

~~———— (6) PROCEDURE FOR OBTAINING ANIMAL ESTABLISHMENT LICENSE.~~

~~———— (a) Any person who seeks to obtain an animal establishment license shall make application to the City Clerk on a form provided by the City Clerk and pay a licensing fee of \$100.00.~~

~~———— (b) The City Clerk shall approve and issue an application or renew an animal establishment license unless any of the following applies to the applicant:~~

~~———— 1. The applicant owes a delinquent fee, judgment, or other debt to the City; or~~

~~———— 2. The animal humane officer determines that at least one of the following applies:~~

~~———— a. The applicant has been convicted of any violation under Ch. 951, Wis. Stats., or a local ordinance in conformity therewith;~~

~~———— b. The applicant has been convicted of violating any section of this ordinance;~~

~~———— c. The applicant has been convicted of violating any section of Chapter 8, Green Bay Municipal Code.~~

~~———— (c) An animal establishment license shall be valid for one year.~~

~~———— (7) REVOCATION OF LICENSE. An animal establishment license shall be revoked if any of the following occurs:~~

~~———— (a) The licensee is convicted of any violation under Ch. 951, Wis. Stats., or a local ordinance in conformity therewith.~~

~~_____ (b) The licensee is convicted of violating any section of this ordinance.~~

~~_____ (c) The licensee refuses to allow an animal humane officer, or his/her designee, to enter the property.~~

~~_____ (d) The licensee ceases operation of any pet shop or grooming service for 12 consecutive months.~~

(8) REVOCATION OF LICENSE.

(a) The City Clerk shall revoke an animal establishment license if the humane officer reports any of the following to the City Clerk:

1. The licensee was convicted of any violation under Ch. 951, Wis. Stats., or a local ordinance in conformity therewith.

2. The licensee was convicted of violating any section of this ordinance.

3. The licensee refused to allow a humane officer, or his/her designee, to enter the property.

4. The licensee ceased operation of any pet shop, grooming service, breeding service or animal shelter for twelve (12) consecutive months.

~~_____ (8) APPEAL. A license may be suspended, revoked, or nonrenewed for a violation of any provision of this section or any violation that is substantially related to the licensed activity. A hearing for the suspension, revocation, or nonrenewal of the license shall be conducted before the Protection and Welfare Committee. At the conclusion of the hearing, the Protection and Welfare Committee shall recommend to the Common Council that the license be suspended or revoked if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Welfare Committee within 45 days after the Committee adjourns the hearing. Appeal from a decision of the Common Council shall be to the Circuit Court for Brown County.~~

(9) APPEAL. A licensee may appeal any revocation under sub. (8) to the Protection and Welfare Committee. The Committee shall conduct a hearing and shall recommend to the Common Council that the license be revoked if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Welfare Committee within 45 days after the Committee adjourns the hearing. The Common Council may uphold the revocation order or reinstate the license. Appeal from a decision of the Common Council shall be to the Brown County Circuit Court.

~~(9)~~ **(10) PENALTIES. Any person convicted of violating any section of this ordinance shall forfeit no more than \$500 for each violation.**

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication and has no financial impact on the City.

Dated at Green Bay, Wisconsin this 15th day of June, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

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06/01/10