



AN ORDINANCE: By Public Services & Safety
Committee
Re: Amending Code §3-16 to correct internal
references

ORDINANCE NO. 2012-10
Introduced: September 5, 2012
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Section 3-16(d)(1) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

- (1) Compliance with Subsections (eb) and (ec) above.

Section 2. Section 3-16(l)(1) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

- (1) The Chief of Police or the Chief's designee may determine an animal to be a prohibited dangerous animal whenever the Chief of Police or the Chief's designee finds that an animal meets the definition as provided for under ~~this~~ section 3-1.

Section 3. Section 3-16(m)(1) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

- (1) The owner or responsible party aggrieved by the decision of the Chief of Police or the Chief's designee to declare an animal dangerous under Subsections (eb), (h) or (m) may appeal such decision to the Common Council by filing a written notice of appeal with the City Clerk within five business days of the mailing of the written order from the Chief of Police or the Chief's designee. Appeals shall be heard by the Public Services and Safety Committee, which shall make a recommendation to the Common Council.

Section 4. Section 3-16(n)(1) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

- (1) The owner/responsible party demonstrates to the Chief of Police or the Chief's designee that there have been no additional reported instances

anywhere of the behavior [that constitutes a dangerous animal](#) as defined in ~~Subsection~~[Section 3-13-16\(a\)](#), within a 36-month period from the date of the order determining the animal to be dangerous; and

Section 5. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 6. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Stevenson/Pollnow
Adopted: September 5, 2012
Approved: September 5, 2012
Published: September 10, 2012

Approved:



George Scherck, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
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