

BODY – LEGISTAR #35830

DRAFTER'S ANALYSIS: The zoning code does not currently regulate the home breeding and selling of dogs. This amendment will change that by creating a new use, Home Dog Breeding and Sales, which applies to any home where more than one litter of puppies is bred or sold.

This amendment allows the home breeding and selling of dogs in the City, but is subject to two specific supplemental regulations, which require that the home is the primary residence of someone who is either a licensed dog breeder under Wis. Stat. § 173.41 (applicable to persons selling 25 or more dogs per year) or an American Kennel Club (AKC) sanctioned breeder.

The practical effect of this ordinance is that home dog breeding and sales of more than one litter will be allowed only homes occupied by a state licensed or AKC certified dog breeder.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 28.211 entitled “Definitions” of the Madison General Ordinances is amended by creating therein the following:

“Home Dog Breeding and Sales. An occupied residence in which a person or persons residing in the dwelling breeds or sells more than one litter of dogs.”

2. Section 28.151 entitled “Applicability” of the Madison General Ordinances is amended by creating therein the following:

“Home Dog Breeding and Sales.

(a) The residence must be the principal place of residence, as defined in Wis. Admin. Code ch. DCF 250, of the person breeding or selling dogs.

(b) The person breeding or selling dogs must be either properly licensed under Wis. Stat. § 173.41 or be breeding an American Kennel Club (AKC) registered animal with a history of competition.”

3. Table 28C-1 of Subsection (1) of Section 28.032 entitled “Residential District Uses” of the Madison General Ordinances is amended by creating therein the following:

“Residential Districts																
	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations
Accessory Uses and Structures																
<u>Home Dog Breeding and Sales</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y”

4. Table 28D-2 of Section 28.061 entitled “Mixed-Use and Commercial Districts Uses” of the Madison General Ordinances is amended by creating therein the following:

