



## City Council Meeting Agenda Item

Meeting Date:	June 16, 2026
Agenda Item:	2026-O-14 Amendment to Ordinance 9.04.010 - Injury to Squirrels and Pets - Permission Required
Staff Contact (name, email, phone):	Kevin Boehm, <a href="mailto:kboehm@whitewater-wi.gov">kboehm@whitewater-wi.gov</a> , 262-473-0122

### BACKGROUND

(Enter the who, what when, where, why)

The Whitewater Police Department received correspondence from a resident expressing concerns regarding the trapping of squirrels and chipmunks on private property within the City. In reviewing the matter, staff identified Whitewater Municipal Code Section 9.04.010, which currently states:

"No person shall, within the limits of the city, harm or kill squirrels or pets at any time without first obtaining permission from the chief of police of the city. The humane nature of the method and duration of any trapping of squirrels shall be subject to the approval of the chief of police."

Following review of the ordinance, the Whitewater Police Department recommended repealing Section 9.04.010 in its entirety. The Police Department noted that protections for domestic animals are already addressed under Section 9.04.020 and further recommended that nuisance wildlife matters be addressed in accordance with Wisconsin Department of Natural Resources (DNR) regulations and guidance.

At its April 21, 2026 meeting, the City Council referred the matter to the Urban Forestry Commission for further review and recommendation. The Urban Forestry Commission considered the item at its June 1, 2026 meeting and also recommended repealing Section 9.04.010 in its entirety and relying on applicable Wisconsin DNR nuisance wildlife regulations and guidance.

Following discussion with City Attorney Cheeseboro, staff determined that the preferred approach is to amend Section 9.04.010 rather than repeal it entirely. The proposed amendment removes references to squirrels and the requirement for approval by the Chief of Police while retaining and strengthening language related to the protection of domestic animals. The proposed ordinance amendment is presented for Council consideration.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

April 21, 2026 – City Council referred the review of Municipal Code Section 9.04.010 to the Urban Forestry Commission for further review and recommendation.

June 1, 2026 – Urban Forestry Commission reviewed Municipal Code Section 9.04.010 and recommended repeal of the section in its entirety and reliance upon Wisconsin Department of Natural Resources nuisance wildlife regulations and guidance.

### FINANCIAL IMPACT

(If none, state N/A)

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N/A

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**STAFF RECOMMENDATION**

Staff recommends approval of Ordinance No. 2026-O-14 amending Section 9.04.010 of the Whitewater Municipal Code. The proposed amendment removes outdated provisions related to squirrels and the requirement to obtain permission from the Chief of Police, while retaining and clarifying protections for pets owned by another person within the City of Whitewater.

Staff further recommends that the City and Whitewater Police Department utilize the Wisconsin Department of Natural Resources Nuisance Wildlife Control Guidelines as guidance when responding to future nuisance wildlife concerns and inquiries.

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**ATTACHMENT(S) INCLUDED**

(If none, state N/A)

- 1.) Ordinance 2026-O-14
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