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2023 OA-079

AMENDING CHAPTERS 2 AND 47 OF THE DANE COUNTY CODE OF
ORDINANCES, REGARDING ANIMAL CONTROL

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 2.06(262d) is created to read as follows:

2.06 SCHEDULE OF DEPOSITS

(262d) 47.17(2m) Failure to comply with animal restrictions following an attack, bite, or injury - \$500.00

ARTICLE 3. Section 47.17 is amended to read as follows:

47.17 OWNER OR CUSTODIANS TO CONTROL ANIMALS.

(2) When an animal is off the property of its owner or custodian, the owner or custodian shall not permit, whether negligently or otherwise, the animal to attack, bite or otherwise injure:

(a) any other domestic animal;

(b) any person who is engaged in a lawful activity.

(2m) Any person who owns or is the custodian of an animal that violates Sub. (2) shall immediately comply with the following:

(a) The animal while off the property where kept, shall be muzzled and leashed at all times. The muzzle must be made in a manner that will not cause injury to the animal but that will prevent it from biting any person or animal. The leash shall be attached to a secure collar that is of sufficient strength to restrain the animal. The leash shall be no longer than four (4) feet in length total and must be secured by and under the direct control and supervision of a competent adult;

(b) When outside but still on the property of the owner or caretaker, the animal must be supervised by a competent adult and physically restrained at all times to prevent the animal from leaving the property. An electronic fence or an electronic collar are not considered to be a physical restraint. If the department determines that the animal may be kept in a secure kennel or pen, hereinafter referred to as "structure", and not under the direct supervision of an adult, the department may require that the structure be constructed under some or all of the following guidelines:

1. The structure shall be constructed of strong metal fencing to prevent the animal from exiting on its own volition;

2. The structure shall be secure on all sides and have a secure top attached;

3. The structure shall have a secure bottom or floor attached to the sides of the structure or the sides of the structure shall be embedded in the ground no less than two (2) feet;

- 46 4. The structure shall be kept locked at all times with a key or combination
47 lock;
48 5. The structure shall provide adequate light, ventilation and shelter from the
49 environment for the animal;
50 6. The structure shall be maintained in a clean and sanitary condition;
51 7. The structure must be in compliance with all other building and zoning
52 ordinances.

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54 ARTICLE 4. Section 47.51 is created to read as follows:

55 **47.51 PENALTIES.**

56 **(8n)** Any person who violates section 47.17(3) of this ordinance shall forfeit not
57 more than \$500.

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59 *[EXPLANATION: This amendment requires any owner of an animal that bites or*
60 *injures a person or another animal off property to follow certain animal control*
61 *measures.]*