



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 19042

File ID: 19042

File Type: Ordinance

Status: Report of Officer

Version: 1

Reference:

Controlling Body: DOWNTOWN
COORDINATING
COMMITTEE

Lead Referral: DOWNTOWN
COORDINATING
COMMITTEE

File Created Date : 06/29/2010

File Name: Animals prohibited

Final Action:

Title: Creating Sections 10.056(5)(h) and 23.315 of the Madison General Ordinances to prohibit animals from specified street use events, require notice of prohibition and establishes a penalty for violations of this ordinance.

Notes: 4730animalsprohbtd MP(2)

CC Agenda Date: 08/03/2010

Agenda Number: 57.

Sponsors: Michael E. Verveer

Enactment Date:

Attachments:

Enactment Number:

Author: Marci Paulsen

Hearing Date:

Entered by: dalthaus@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1	06/29/2010	Michael May	Approved as to Form
1	06/30/2010	Daniel Bohrod	Approve

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	06/29/2010	Referred for Introduction				
	Action Text:		This Ordinance was Referred for Introduction				
	Notes:		Downtown Coordinating Committee (7/15/10); Street Use Staff Commission (7/7/10); Common Council 8/3/10 Meeting				

1 COMMON COUNCIL 07/06/2010 Referred DOWNTOWN 07/15/2010
COORDINATING
COMMITTEE

Action Text: This Ordinance was Referred to the DOWNTOWN COORDINATING COMMITTEE
Notes: Additional Referral: Street Use Staff Commission.

1 DOWNTOWN 07/06/2010 Refer STREET USE 07/21/2010
COORDINATING STAFF
COMMITTEE COMMISSION

Action Text: This Ordinance was Refer to the STREET USE STAFF COMMISSION
Notes:

1 DOWNTOWN 07/15/2010 RECOMMEND TO
COORDINATING COUNCIL TO
COMMITTEE ADOPT - REPORT
OF OFFICER
Action Text: This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Ald. Verveer reported this ordinance was prepared at the request of large event organizers who were unable to get voluntary compliance with requests to not bring animals to their events. It would cover annual events that want to be covered that have 10 or more food vendors. It would not cover neighborhood block parties. Members added that they had seen many instances where animals were in distress because of hot weather and being pulled along on leashes. It was also brought out that it is not a conducive atmosphere for animals because of hot pavement, small children and the availability of food that can create aggressive behavior.

A motion was made by Verveer/Miller to approve Ordinance ID#19042 creating Section 10.056(5)(h) and 23.315 of the Madison General Ordinances to prohibit animals from specified street use events, require notice of prohibition and establishes a penalty for violations of this ordinance. MOTION CARRIED UNANIMOUSLY.

Notes:

1 STREET USE STAFF 07/21/2010 Return to Lead with DOWNTOWN Pass
COMMISSION the
Recommendation for COORDINATING
Approval COMMITTEE

Action Text: A motion was made by Barica, seconded by Kummerow, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Notes:

2 COMMON COUNCIL 08/03/2010
Notes:

Text of Legislative File 19042

Fiscal Note

There may be a minor increase in General Fund revenues derived from fines and forfeitures.

Title

Creating Sections 10.056(5)(h) and 23.315 of the Madison General Ordinances to prohibit animals from specified street use events, require notice of prohibition and establishes a penalty for violations of this ordinance.

Body

DRAFTER'S ANALYSIS: This ordinance creates Sec. 10.056(5)(h), MGO, which provides when a street use permit is granted and there are more than ten licensed food vendors, animals are prohibited from the event. It requires that the applicant provide notice to the public that animals are prohibited at the event. It also creates Sec. 23.315 which prohibits animals at the above-mentioned events and establishes a penalty for violations of this ordinance. It also creates an exception for service animals.

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

1. Subdivision (h) entitled "Animals Prohibited" of Subsection (5) entitled "Application Process and Permit Requirements" of Section 10.056 entitled "Street Use Permit" of the

Madison General Ordinances is created to read as follows:

“(h) Animals Prohibited. Under Sec. 23.315, MGO, animals are prohibited in all areas within the perimeter of a street use event when there are a total of ten (10) or more food vendors participating in the event. For purposes of this paragraph and Sec. 23.315, a “food vendor” is any vendor selling food or beverage and required to hold a temporary or permanent food and drink license from the City under Chapter 7. A food vendor is “participating” in the event if the vendor is either included in event sponsor’s special event umbrella vending license, or holds a city street vending license and is allowed to remain within the perimeter of the event. If animals are prohibited under this paragraph, the event sponsor shall provide notice to the public at the entrance to the event that animals are prohibited at the event under Sec. 23.315.”

2. Section 23.315 entitled “Animals Prohibited During Street Use Permit” of the

Madison General Ordinances is created to read as follows:

“23.315 ANIMALS PROHIBITED DURING STREET USE PERMIT EVENT.

When a street use permit has been issued under Sec. 10.056, MGO, and there are ten (10) or more food vendors participating in the event as defined in Sec. 10.056(5)(h), it shall be unlawful for the owner or keeper of any animal to allow an animal to be in any area within the perimeter of the event as described on the street use permit. This Section does not apply to service animals as defined under Wis. Stat. § 106.52(1)(fm).”

3. Subdivision (a) of Subsection (3) entitled “Schedule of Deposits” of Section 1.08 entitled “Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits” of the Madison General Ordinances is amended by creating and amending therein the following:

<u>“Offense</u>	<u>Ord. No./Adopted Statute No.</u>	<u>Deposit</u>
Animals prohibited during Street Use Permit.	23.315	\$100”

EDITOR’S NOTE: New bail deposits must be approved by the Municipal Judge prior to adoption. This deposit has been so approved.