

ORD. AMDT. 4, 10-11

AMENDING CHAPTERS 2 AND 47 OF THE DANE COUNTY CODE OF ORDINANCES,
PERMITTING AN ANIMAL TO ATTACK, BITE OR INJURE A PERSON OR ANOTHER ANIMAL

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. Subsections 2.06(262) and (263) are amended to read as follows:

2.06 SCHEDULE OF DEPOSITS.

(262) 47.17(2)	Allowing dog or cat to be untagged, first offense	25.00
(263) 47.17(2)	Allowing dog or cat to be untagged, second or subsequent offense within a twelve month period	45.00
(262) 47.12(2)(a)	Allowing an animal, while off the property of the owner or custodian, to attack, bite or injure an animal, first offense	177.00
(262a) 47.17(2)(a)	Allowing an animal, while off the property of the owner or custodian, to attack, bite or injure an animal, second or subsequent offense	429.00
(262b) 47.17(2)(b)	Allowing an animal to, while off the property of the owner or custodian, to attack, bite or injure a person, first offense	177.00
(262c) 47.17(2)(b)	Allowing an animal, while off the property of the owner or custodian, to attack, bite or injure a person, second or subsequent offense	429.00
(263) 47.17(3)	Allowing dog or cat to be untagged, first offense	25.00
(263a) 47.17(3)	Allowing dog or cat to be untagged, second or subsequent offense	45.00

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

47.17 OWNERS OR CUSTODIANS TO CONTROL ANIMALS. (1) An owner or custodian of an animal shall not permit, whether negligently or otherwise, the animal to run at large. An animal is considered to be running at large if it is off the premises of the owner or custodian and not under the control of the owner or custodian some other person.

(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; or

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

(23) An owner of a dog or cat shall not permit, whether negligently or otherwise, the dog or cat to be untagged. A dog is untagged if a valid license tag is not attached to a collar which is kept on the dog whenever the dog is outdoors. A cat is untagged if an identification tag listing the name, address and phone number of the owner is not attached to a collar which is kept on the cat whenever the cat is outdoors.

(34) Sub. (23) shall only apply to cats owned by an individual residing in an area zoned as a residential district under secs. 10.05-10.08 inclusive.

ARTICLE 4. Subsection 47.51(8m) is created to read as follows:

47.51 PENALTIES.

(8m) Any person who violates section 47.17(2) of this ordinance shall forfeit not more than \$177.00 for the first offense and not less than \$429.00 for the second or subsequent offense.

ARTICLE 5. Subsection 47.51(9) is amended to read as follows:

1 (9) Any person who violates section 47.17(23) of this ordinance shall forfeit not less than \$25.00
2 nor more than \$100.00 for the first offense and not less than \$50.00 nor more than \$200.00 for
3 each subsequent offense.

4 *[EXPLANATION: This amendment creates an offense for allowing an animal running at large to*
5 *attack, bite or injure a person or another animal. This ordinance is enforced by the Public Health*
6 *Department for Madison and Dane County, and is consistent with an existing City of Madison*
7 *ordinance.]*

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9 Submitted by Supervisors Stoebig, Rusk, Corrigan, Hesselbein, Richmond, Eicher, de
10 Felice, Veldran, Hampton, Sargent and Levin, June 3, 2010.

11 Referred to HEALTH & HUMAN NEEDS, PERSONNEL/FINANCE and PUBLIC
12 PROTECTION & JUDICIARY.
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