

LEGISTAR #35826 – 3RD SUBSTITUTE BODY

DRAFTER'S ANALYSIS: This ordinance prohibits permanently separating a puppy from its mother prior to the age of 7 weeks. This ordinance also prohibits the unsupervised tethering of a dog with a tether less than 10 feet and prohibits dogs from being unsupervised outside for more than 15 minutes without adequate shelter. This ordinance also adds additional bail deposits for repeat violations of this section.

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

1. Subsection (1) entitled "Definitions" of Section 23.18 entitled "Cruelty to Animals" of the Madison General Ordinances is amended to read as follows:

"(1) ~~Definitions. As used in this ordinance~~ It shall be unlawful for any person to commit any of the following acts against any animal:

- (a) ~~"Cruel" means causing unnecessary and excessive pain, suffering, injury, disfigurement or death. Causing unnecessary pain, suffering, injury, disfigurement or death;~~
- (b) ~~"Neglect" means failing to provide adequate food, water, shelter or veterinary care Failing to provide adequate food, water, shelter or veterinary care;~~
- (c) ~~"Unnecessarily injure" means causing unnecessary pain, suffering or death by means other than neglect. Failing to provide dogs that are chained or tethered outside unsupervised with at least ten (10)feet of rope or tether;~~
- (d) ~~Leaving a dog outside unsupervised for more than fifteen (15) minutes without access to adequate shelter; or~~
- (e) ~~Permanently separating a puppy under seven (7) weeks of age from his or her mother, unless said separation is authorized by a veterinarian who has conducted a physical assessment of the puppy and determined that the separation is in the puppy's best interest."~~

2. Subsection (5) of Section 23.18 entitled "Cruelty to Animals" of the Madison General Ordinances is created to read as follows:

"(5) Any person violating this section shall be subject to a forfeiture up to two thousand dollars (\$2000). Each and every day of violation may be considered a separate offense."

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>
Abusing <u>Cruelty to animals.</u>	23.18(1)	<u>\$300, 1st</u> <u>\$500, 2nd</u> <u>\$1000, 3rd</u> <u>\$1500, 4th</u> <u>\$2000, 5th &</u>

sub."

EDITOR'S NOTE: New bail deposits must be approved by the Municipal Judge prior to adoption. This deposit has been so approved, provided the penalty range is increased.