



Legislation Details (With Text)

**File #:** 44734      **Version:** 1      **Name:** Creating exception for rabies vaccination  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/11/2016      **In control:** BOARD OF ESTIMATES (ended 4/2017)  
**On agenda:** 10/18/2016      **Final action:** 11/22/2016  
**Enactment date:** 12/3/2016      **Enactment #:** ORD-16-00104

**Title:** Amending Section 9.50(4)(a), creating Section 9.50(4)(d), amending Sections 23.39(1), (4), and (5) of the Madison General Ordinances to provide an exception for dogs and cats to not receive a rabies vaccination.

**Sponsors:** Matthew J. Phair

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/22/2016	1	COMMON COUNCIL	Adopt	Pass
11/9/2016	1	EXECUTIVE COMMITTEE - BOARD OF HEALTH FOR MADISON AND DANE COUNTY		
10/24/2016	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
10/19/2016	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	Referred	
10/18/2016	1	COMMON COUNCIL	Refer	Pass
10/11/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No fiscal impact.

**Title**

Amending Section 9.50(4)(a), creating Section 9.50(4)(d), amending Sections 23.39(1), (4), and (5) of the Madison General Ordinances to provide an exception for dogs and cats to not receive a rabies vaccination.

**Body**

DRAFTER'S ANALYSIS: This creates new sections within the ordinance that provides an exemption for dogs and cats to not receive a rabies vaccination. To qualify for this exemption the owner must provide a letter from a license veterinarian that states there is a medical reason for the animal to not receive the rabies vaccination and the animal must have had a rabies titer tests within 3 years. The ordinance further provides that the exemption must occur yearly.

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

1. Subdivision (a) entitled "License" of Subsection (4) entitled "Issuance of Licenses and Tags" of Section 9.50 entitled "Dog License Required" of the Madison General Ordinances is amended to read as follows:

"(a) License. Upon payment of the required dog license tax and upon presentation of evidence that the dog is currently immunized against rabies as required by Madison General Ordinance Sec. 23.39, or

approved for exemption under sub. (d), the City Treasurer or other authorized individual shall complete and issue to the owner a license for the dog bearing a serial number and in a form prescribed by the State of Wisconsin stating the date of its expiration, the owner's name and address, and the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog. The Treasurer shall keep a duplicate copy of the license on file. Effective January 1, 1996, the City Treasurer may authorize the initial issuance of dog licenses by local veterinarians. Veterinarians shall not issue renewals of previously issued licenses."

2. Subdivision (d) entitled "Rabies Vaccination Exemption" of Subsection (4) entitled "Issuance of Licenses and Tags" of Section 9.50 entitled "Dog License Required" of the Madison General Ordinances is created to read as follows:

"(d) Rabies Vaccination Exemption. Dogs may be exempt from rabies vaccination during licensure if a licensed veterinarian determines there is a medical reason that the dog should not be vaccinated. To be exempt from rabies vaccination the owner shall provide to Public Health Madison Dane County a letter from a licensed veterinarian that is signed and dated and contains the following information:

- (1) The medical reason for the exemption; and
- (2) The results of a rabies titer which has been completed within the past three (3) years of the letter.

The letter from the veterinarian shall be good for one (1) year from the date of the letter. Each licensing year the owner must submit a new letter to receive said exemption."

3. Subsections (1), (4), and (5) of Section 23.39 entitled "Vaccination of Dogs and Cats Required" of the Madison General Ordinances are amended to read as follows:

"(1) It shall be the duty of any person who owns, harbors or keeps a dog or cat to have such animal inoculated with an anti-rabies vaccine by a veterinarian in accordance with the most recent Compendium of Animal Rabies Vaccine within thirty (30) days after the animal reaches four (4) months of age and revaccinated within one (1) year after initial vaccination. If the owner obtains the dog or cat or brings it into this state after the animal has reached four (4) months of age, the owner shall have the animal vaccinated against rabies within thirty (30) days after the animal is obtained or brought into the state unless the animal has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state. The owner of a dog or cat shall have the animal revaccinated against rabies by a veterinarian before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within one (1) year after the previous vaccination.

(a) Per Wis. Stat. § 95.21(9)(d), owners may request to exempt their dog or cat from the requirement of a rabies vaccination for one (1) year if a licensed veterinarian determines there is a medical reason that the dog or cat should not be vaccinated. To be exempt from rabies vaccination the owner shall provide to Public Health Madison Dane County a letter from a licensed veterinarian that is signed and dated and contains the following information:

- (1) The medical reason for the exemption; and
- (2) The results of a rabies titer which has been completed within the past three (3) years of the letter.

The letter from the veterinarian shall be good for one (1) year from the date of the letter. Each licensing year the owner must submit a new letter to receive said exemption. An approved letter shall serve as a rabies certificate."

"(4) It shall be unlawful to own, harbor or keep any dog or cat which does not carry the tag as provided by ~~Subsection sub. (3) hereof~~ or exempted under sub. (1)(a)."

"(5) In addition to the penalties hereinafter provided for violation of Subsection (4), any police officer of the City may impound any such dog or cat which does not carry the tag as provided by ~~Subsection sub. hereof~~. The possession of any dog or cat so impounded or seized may be obtained by payment of a

fee of one dollar (\$1) and any and all fees for the board of said animals during the time they are impounded provided, however, that said dogs or cats shall not be released until proof has been furnished to the police officer or health officer that the dog or cat has been inoculated with anti-rabies vaccine in accordance with the terms of this ordinance or exempted under sub. (1)(a). After such dog or cat has been so impounded for a period of seven (7) days without it having been claimed by its owner or anyone in behalf of said owner, said dog or cat shall be destroyed under the direction of a police officer or health officer of the City. Notice of impounding shall be given by the person or officer in the possession of the dog or cat within twenty-four (24) hours of impounding to the owner of the dog or cat if known.”