



Legislation Text

File #: 19042, Version: 2

**Fiscal Note**

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

**Title**

AN AMENDED SUBSTITUTE ORDINANCE. 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, animals that are part of a parade and animals that are owned by exhibitors.

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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.**

1. 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.

2. Exceptions. This Section does not apply to ~~service animals as defined under Wis. Stat. § 106.52(1)(fm).~~ the following animals:

- (a) Service animals as defined by Wis. Stats. Sec. 106.52(1)(fm).
- (b) Animals that are participating in a parade that is authorized by Sec. 12.87, MGO.
- (c) Animals that are owned by exhibitors authorized by the event sponsor, provided that the animal is leashed according to the requirements found in Sec. 23.32(1), MGO or confined at all times while in the perimeter of the event and are kept a distance of at least fifty (50) feet from all food vendors.
- (d) Animals in service to law enforcement.

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.