Legislation Details (With Text)

File #:	30886	**Version:**	1	**Name:**	Victim of dangerous animal
Type:	Ordinance			**Status:**	Passed
File created:	7/9/2013			**In control:**	COMMON COUNCIL
On agenda:	9/3/2013			**Final action:**	9/3/2013
Enactment date:	9/12/2013			**Enactment #:**	ORD-13-00151

Title: Amending Section 25.22(10) of the Madison General Ordinances to permit only the owner or victim to appeal a Dangerous Animal Determination.

Sponsors: Matthew J. Phair

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/3/2013	1	COMMON COUNCIL	Adopt	Pass
8/8/2013	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/16/2013	1	COMMON COUNCIL	Referred	
7/9/2013	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

Amending Section 25.22(10) of the Madison General Ordinances to permit only the owner or victim to appeal a Dangerous Animal Determination.

Body

DRAFTER'S ANALYSIS: This ordinance amends the language so that only an owner or victim may appeal the Health Department's determination that an animal is dangerous. Previously any person aggrieved by the determination could appeal which allowed individuals not directly involved in a case to appeal a decision.

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

Subsection (10) entitled "Committee Review of Determination" of Section 25.22 entitled "Dangerous Animals Regulated" of the Madison General Ordinances is amended to read as follows:

"(10) Committee Review of Determination. The owner or any ~~person~~ bite or attack victim aggrieved by a Department determination declaring any animal to be a dangerous animal may appeal such determination to the Committee by filing a notice of appeal stating the grounds therefor with the Director of Public Health within seven (7) days of the date of mailing of the Department Determination under subsection (5) above. The Committee shall schedule a hearing on whether to affirm, conditionally affirm or reject the Department determination within thirty-two (32) days, but not sooner than five (5) days, and shall make reasonable efforts to notify the owner, bite or attack victims and their representatives, if any, departmental witnesses and other interested parties of such hearing and the opportunity to present evidence and testimony to the Committee. The Committee shall, within a reasonable period of time after the hearing, issue its decision in writing and serve a copy of the same by first class mail upon the owner and all parties requesting the same."

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