

**CHAPTER 47
ANIMAL CONTROL**

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47.01 TITLE. This chapter may be referred to as the animal control ordinance.

47.02 PURPOSE. This ordinance is created for the purpose of:

- (1) establishing and enforcing an effective rabies control program within Dane County;
- (2) designating a dog impoundment facility and establishing fees for impoundment of stray dogs;
- (3) regulating the possession and sale of wild and domestic skunks within the County of Dane; and
- (4) creating an effective and efficient manner of enforcing laws relating to control of animals.

[History: (4) cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83; (4) am., Sub. 1 to OA 38, 2002-03, pub. 6/20/03.]

47.03 AUTHORITY. This ordinance is enacted under the authority of sections 29.427(2)(c), 29.427(3)(e), 59.54(6), 59.54(20) and 95.21(9) and chapters 173 and 174, Wisconsin Statutes.

[History: am., OA 11, 1997-98, pub. 09/19/97; am., Sub. 1 to OA 38, 2002-03, pub. 06/20/03.]

47.04 ADMINISTRATION. (1) This chapter is to be administered by the Department of Public Health for Madison and Dane County.

(2) The corporation counsel's office shall prosecute all violations of this ordinance and shall advise the agencies entrusted with administration of this ordinance on matters of law relating to this ordinance.

(3) The Dane County Executive is hereby authorized to appoint persons working under the supervision of the Department of Public Health for Madison and Dane County as humane officers, subject to county board confirmation.

[History: (1) am., OA 11, 1997-98, pub. 09/19/97; (1) and (3) am., Sub. 1 to OA 32, 2006-07, pub. 04/19/07.]

47.05 APPLICATION. No provision of this ordinance shall apply to any village or town in Dane County which has both a municipal court and a more restrictive provision in an animal control ordinance.

47.06 DEFINITIONS. As used in this chapter, the following words have the meanings indicated:

(1) *Humane officer* means any person working under the supervision of the Department of Public Health for Madison and Dane County designated by the county executive as a humane officer under the authority of sec. 173.03(1), Stats.

(2) *Officer* means any duly sworn law enforcement employee of the Dane County Sheriff Department as well as any humane officer.

(3) *Pound* means the shelter facilities designated by the County of Dane as its impoundment area for stray animals.

[History: (1) am., Sub. 1 to OA 38, 2002-03, pub. 06/20/03; (1) and (3) am. and (4) rep., Sub. 1 to OA 32, 2006-07, pub. 04/19/07.]

[History: 47.07 cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83; am., OA 11, 1997-98, pub. 09/19/97; 47.07 rep., Sub. 1 to OA 32, 2006-07, pub. 04/19/07.]

[47.07 - 47.10 reserved.]

47.11 RABIES VACCINATIONS REQUIRED.

(1) The owner of a dog shall have the dog

vaccinated against rabies by a veterinarian at the times required by sec. 95.21(2)(a), Wis. Stats., and acts amendatory thereto.

(2) The owner of a dog shall attach the rabies vaccination tag, required by sec. 95.21(2)(e), Wis. Stats., to the dog in the manner and at the times required by sec. 95.21(2)(f), Wis. Stats.

47.12 REPORTING REQUIRED. (1) The owner of any animal which is suspected of having bitten a person, of being infected with rabies or of having had contact with a rabid animal, or any other person having such information shall report that fact as soon as possible to an officer.

(2) The owner of a dog that is used by a law enforcement agency is exempt from the reporting requirement of sub. (1) if a person is bitten while the dog is performing proper law enforcement functions. This exemption is valid as long as the dog's rabies vaccinations are current.

[History: (2) cr., OA 39, 2003-04, pub. 06/29/04.]

47.13 COMPLIANCE WITH QUARANTINE ORDER. (1) The owner of any dog or cat which is suspected of biting a person, of being infected with rabies or of having been in contact with a rabid animal, shall obey the lawful orders of any officer quarantining the dog or cat pursuant to the authority of sections 95.21(4) and (5), Wis. Stats.

(2) The owner of a dog that is used by a law enforcement agency is exempt from the quarantine requirement of sub. (1) if a person is bitten while the dog is performing proper law enforcement functions. This exemption is valid as long as the dog's rabies vaccinations are current.

[History: (2) cr., OA 39, 2003-04, pub. 06/29/04.]

47.14 REMOVAL FROM ISOLATION. No person shall remove any quarantined animal from isolation without the express written consent of a humane officer.

47.15 EVIDENCE OF IMMUNIZATION. No dog license shall be issued to any person owning a dog except upon presentation of evidence that the dog has been currently immunized against rabies.

47.16 DOG LICENSE REQUIRED. (1) Every owner of a dog over the age of five (5) months shall obtain a dog license for the dog as required by state statute.

(2) The owner of a dog shall securely attach the tag, which is furnished at the time of issuance of the dog license, to a collar which in turn shall be kept on the dog at all times except when provided otherwise by state statute.

[History: cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83.]

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.

(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;

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

(2m) Any person who owns or is the custodian of an animal that violates Sub. (2) shall immediately comply with the following:

(a) The animal while off the property where kept, shall be muzzled and leashed at all times. The muzzle must be made in a manner that will not cause injury to the animal but that will prevent it from biting any person or animal. The leash shall be attached to a secure collar that is of sufficient strength to restrain the animal. The leash shall be no longer than four (4) feet in length total and must be secured by and under the direct control and supervision of a competent adult;

(b) When outside but still on the property of the owner or caretaker, the animal must be supervised by a competent adult and physically restrained at all times to prevent the animal from leaving the property. An electronic fence or an electronic collar are not considered to be a physical restraint. If the department determines that the animal may be kept in a secure kennel or pen, hereinafter referred to as "structure," and not under the direct supervision of an adult, the department may require that the structure be constructed under some or all of the following guidelines:

1. The structure shall be constructed of strong metal fencing to prevent the animal from exiting on its own volition;

2. The structure shall be secure on all sides and have a secure top attached;

3. The structure shall have a secure bottom or floor attached to the sides of the structure or the

sides of the structure shall be embedded in the ground no less than two (2) feet;

4. The structure shall be kept locked at all times with a key or combination lock;

5. The structure shall provide adequate light, ventilation and shelter from the environment for the animal;

6. The structure shall be maintained in a clean and sanitary condition;

7. The structure must be in compliance with all other building and zoning ordinances.

(3) 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.

(4) Sub. (3) 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.

(5) No owner or caretaker of an animal shall permit such animal to urinate, defecate, or expel other bodily fluids onto an elevated balcony, porch or platform, if said balcony, porch or platform is located above property owned or rented by another person.

[History: cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83; (1) and (2) am. and (3) cr., Sub. 1 to OA 38, 2002-03, pub. 06/20/03; 47.17 am., OA 4, 2010-11, pub. 09/02/10; (5) cr., Sub. 1 to 2018 OA-7, pub. 10/2/18.]

47.18 DANGEROUS ANIMALS REGULATED.

(1) Purpose and intent. It is hereby declared that regulation of dangerous animals is a matter of public interest pertaining to the health, safety and welfare of residents of Dane County. It is further declared that owning, keeping or harboring of dangerous animals is a public nuisance.

(2) Authority. This ordinance is enacted under the authority of section 59.03 of the Wisconsin Statutes.

(3) Applicability. This ordinance shall apply in the unincorporated areas of Dane County.

(4) Definitions. For purposes of this section, the following definitions shall apply:

(a) Department means Department of Public Health for Madison and Dane County.

(b) Director means the director of the department.

(c) Impoundment means the confinement of an animal in a department-approved, supervised facility such as a veterinarian's kennel,

commercially operated kennel or the county pound designated under s. 47.31.

(d) Owner means the owner, custodian or person having charge, care or custody of an animal.

(5) Impoundment of biting or attacking animal.

(a) The department or an officer shall have the power to summarily and immediately impound an animal whenever there are reasonable grounds pursuant to sub. (6) to believe that the animal is a dangerous animal. The animal may remain impounded during the entire determination process. If the animal is determined to be dangerous, it shall remain impounded until the owner has complied with all restrictions outlined by the department and found in sub. (7) or until such time as the department determines that the animal may be safely returned to the owner. Any law enforcement officer or humane officer may enter and inspect private property to enforce the provisions of this section. The owner of the animal shall be liable to the County for the costs and expenses of impounding and keeping said animal, unless the department fails to declare the animal dangerous, the department determination is ultimately overturned by administrative review or a reviewing court, or the department waives the costs and expenses.

(b) In lieu of impoundment, if there was no tearing of flesh or multiple wounds by the animal and the animal is currently immunized against rabies, or if the animal species is at low risk for transmitting this or other diseases, the department may permit the animal to be confined at the owner's residence provided that the owner complies with conditions set forth by the department.

(c) The owner or custodian of an animal confined under sub. (b) above shall immediately notify the department if said animal is loose, unconfined, has attacked or bitten or injured another animal or has attacked, bitten or injured a human being, or has died. The animal shall not be sold or given away during the impoundment period without approval of the department.

(6) Determination. The department shall investigate situations in which there are reasonable grounds to believe an animal is dangerous. Reasonable grounds to believe an animal is dangerous are that the animal:

(a) has attacked, bitten or injured another domesticated animal or human being engaged in a lawful activity;

(b) has without provocation and off the property of its owner, chased, confronted or approached a person in a menacing fashion

such as would put an average person in fear of attack;

(c) has been trained for fighting or attack and is being handled, kept or maintained in a manner that poses a threat to public health and safety; or

(d) has acted in any manner that poses a threat to public health and safety.

(7) Declaration of dangerous animal. The department, after considering appropriate evidence, may declare any animal to be a dangerous animal. The director of the department shall issue an order authorizing the destruction of the animal or the placement of restrictions on the animal. The department shall make a reasonable attempt to personally notify the owner of the pendency of the department's investigation and shall notify the owner in writing of its determination and order. Notice may be provided to the owner as follows:

(a) Mailing a copy to the owner's last known address;

(b) Email to an email address provided by the owner;

(c) Personally delivering a copy to the owner;

(d) Posting a copy at the owner's last known address in accordance with department policy; or

(e) Any method agreed upon by owner and the department.

(8) Dangerous animal disposition. **(a)** It shall be unlawful for any person to own, possess, harbor or keep any animal declared by the department to be dangerous, except as allowed in (b) below.

(b) Any animal declared by the department to be a dangerous animal shall be humanely destroyed or placed under restrictions as set forth in this sub. (9) and in department policies.

(c) Any animal declared by the department to be dangerous, if not already impounded by the department shall, if determined by the department to be necessary, be immediately surrendered to the department upon order of the director, and it is the duty of the department to take up and impound any such animal.

(9) Dangerous animal restrictions. Any owner of an animal that has been declared dangerous and placed under restrictions must comply with the restrictions set forth below as well as any additional restrictions imposed by the department. The owner must provide documentation to the department of compliance with these restrictions. Said documentation must be provided within thirty (30) days of the animal being declared dangerous.

(a) The owner of the animal must provide written proof from a licensed veterinarian that the animal has been spayed or neutered.

(b) The owner must provide written proof from a licensed veterinarian that a microchip has been placed in the animal so that the animal can be easily identified. The microchip must contain the following information:

1. the name of the animal,

2. the name of the owner, and

3. the following language "Dangerous Animal, contact Public Health Madison & Dane County Animal Services at (608) 255-2345."

(c) The owner must provide written proof from a licensed veterinarian that the animal is current with rabies vaccinations.

(d) The animal must be in compliance with all license requirements.

(e) The owner must post signs no smaller than eight (8) inches by eleven (11) inches, made of metal or plastic, bearing the wording "Warning Dangerous Animal" or "Beware of Dog", in lettering no smaller than three (3) inches high. These signs shall be posted at each entrance to the building in which the dangerous animal is kept and at each entrance through a fence and at such location as to be viewable from the public right-of-way to ensure adequate warning and visibility to anyone approaching said building and fence.

(f) When outside but still on the property of the owner or caretaker, the dangerous animal must be supervised by a competent adult and physically restrained at all times to prevent the animal from leaving the property. If the department determines that the animal may be kept in a secure kennel or pen, hereinafter referred to as "structure", and not under the direct supervision of an adult, the department may require that the structure be constructed under some or all of the following guidelines:

1. the structure shall be constructed of strong metal fencing to prevent the animal from exiting on its own volition;

2. the structure shall be secure on all sides and have a secure top attached;

3. the structure shall have a secure bottom or floor attached to the sides of the structure or the sides of the structure shall be embedded in the ground no less than two (2) feet;

4. the structure shall be kept locked at all times with a key or combination lock;

5. the structure shall provide adequate light, ventilation and shelter from the environment for the animal;

6. the structure shall be maintained in a clean and sanitary condition; and

7. the structure must be in compliance with all other building and zoning ordinances.

(g) While off the owner's property, the dangerous animal shall be muzzled and leashed at all times. The muzzle must be made in a manner that will not cause injury to the animal but that will prevent it from biting any person or animal. The leash shall be attached to a secure collar that is of sufficient strength to restrain the animal. The leash shall be no longer than four (4) feet in length and must be secured by and under the direct control and supervision of a competent adult.

(h) The owner shall allow the department to take three (3) photographs depicting the animal as outlined below:

1. one (1) photograph showing a close view of the animal's entire face, so that the animal is recognizable;

2. one (1) photograph showing the animal's entire left side of its body, including its legs and tail;

3. one (1) photograph showing the animal's entire right side of its body, including its legs and tail; and

(i) Prior to a dangerous animal being sold or given away, the current owner must provide the name, address and telephone number of the proposed new owner to the department. Prior to taking physical custody of the dangerous animal, the new owner must comply with all requirements of this ordinance and any other restriction the department determines to be appropriate to ensure the public's safety.

(j) The new owner must comply with all requirements of this subsection and any other restriction the department determines to be appropriate to protect public safety.

(k) To ensure compliance with this ordinance, the owner or caretaker of a dangerous animal shall allow the department, on an annual basis and at any other reasonable time determined by the department, the opportunity to inspect the property where the dangerous animal is kept.

(l) Any other restriction determined by the department to be necessary to protect public safety.

(m) The owner must notify the department before moving the animal to a new location and allow the department to inspect the property. The department may modify or add restrictions based upon the conditions of the property.

(10) Subsequent determination and penalty.

(a) The department may make a new determination if an owner fails to comply with the terms, conditions or restrictions imposed.

(b) The failure of any person to comply with any term, condition or restriction imposed by the department is a violation of this ordinance.

(11) Administrative review.

(a) The owner or any person aggrieved by a determination of the department declaring any animal to be a dangerous animal may appeal such determination to a subcommittee of the Board of Health for Madison and Dane County by filing a notice of appeal stating the grounds therefor with the director within seven (7) days of the date of mailing of the department's declaration under sub. (7) above. Subcommittee review pursuant to this procedure is required prior to seeking court review. Failure to so obtain subcommittee review shall be deemed a full and complete waiver of the right to any additional review of the determination.

(b) If an appeal is timely and properly filed, the subcommittee shall schedule a hearing on whether to affirm, conditionally affirm or reject the 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, witnesses and other interested parties of such hearing and the opportunity to present evidence and testimony to the board. The subcommittee 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 or other means of delivery mutually agreed upon by the owner and subcommittee, upon the owner and all parties requesting the same.

(12) Appeals to circuit court. Any person aggrieved by a determination of a subcommittee of the Board of Health under sub. (11) may appeal such determination to the circuit court by writ of certiorari within ten (10) days of notification of the board's determination.

(13) Prosecution. An investigation or determination under this section shall not prohibit the county from prosecuting the same owner for other animal control violations relating to the same animal or another animal.

(14) Violation. The failure or neglect of any person to comply with any lawful order of the department issued pursuant to this section shall constitute a violation of this ordinance.

[History: cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83; rep. and recr., OA 40, 2008-09, pub. 05/11/09; (4)(e) resc.,

(5), (7), (8), (9)(b)3., and (9)(h) am., (9)(j)-(m) renum. or cr., 2019 OA-2, pub. 07/22/19.]

47.19 KEEPING OF BARKING DOGS PROHIBITED.

(1) No person, firm or corporation owning, renting, leasing, operating, having charge of, or occupying any building or premises shall keep or allow to be kept any animal which shall disturb the peace and quiet of people living in the vicinity thereof.

(2) Sub. (1) does not apply to farm animals, as defined in sec. 951.01, Wisconsin Statutes, nor does it apply to noises made by dogs that are kept on a farm operation for the purpose of protecting domestic animals so long as such dogs are not kept or allowed within 1,500 feet of a neighboring residence.

[History: cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83; (1) am., (2) and (3) rep., OA 4, 1991-92, pub. 05/29/91; (2) cr., OA 37, 2000-01, pub. 05/15/01; (1) and (2) am., Sub. 1 to OA 38, 2002-03, pub. 06/20/03.]

47.20 STATUTORY OFFENSES ADOPTED.

The provisions of chapter 951 of the Wisconsin Statutes that are adopted by sec. 32.03 and the definitions and constructions contained in secs. 32.02 and 32.04 are hereby also made a part of this chapter.

[History: cr., Sub. 1 to OA 38, 2002-03, pub. 06/20/03.]

[History: 47.21 rep., Sub. 1 to OA 32, 2006-07, pub. 04/19/07.]

[47.21 reserved.]

47.22 ANNUAL DOG LICENSE TAX.

In addition to the statutory tax, there is hereby added an additional tax of \$11.00 for each dog license applied for. The purpose of the additional tax is to pay for the cost of housing and care of stray, abandoned or impounded animals pursuant to Wis. Stat. s. 173.15(1).

[History: am., OA 13, 2005-06, pub. 11/11/05; am., OA 29, 2008-09, pub. 11/26/08, eff. 01/01/09; am., 2019 OA-15, pub. 11/20/19.]

[47.23 - 47.30 reserved.]

47.31 COUNTY POUND. The County of Dane shall designate appropriate facilities as a pound for unwanted animals and stray animals.

[History: am., Sub. 1 to OA 32, 2006-07, pub. 04/19/07.]

47.32 DELIVERY.

(1) Any person who captures an untagged dog or any dog running at large shall notify a humane officer or deliver the dog to the pound.

(2) Any person coming upon any stray or unwanted animal shall notify a humane officer or the pound or deliver the same to the pound.

47.33 NOTIFICATION.

The pound shall take steps to determine and to notify the owner of an animal delivered to the pound, in the manner required by law.

47.34 RECORDS.

(1) The pound shall keep such records of dogs as are required by law.

(2) With respect to other stray or unwanted animals, the pound shall maintain a record showing the date of delivery to the pound, any attempts to determine the ownership of the animal, the posting of notices, appraisals requested and made, and compliance with the state statutes relating to stray animals.

47.35 IMPOUNDMENT FEE.

(1) There is hereby established an impoundment fee of \$35.00 for each stray animal placed in the pound.

(2) The impoundment fee shall be in addition to the daily boarding fee of \$20.00 for the first day and a daily fee thereafter that reflects the actual expenses of the County, as set forth in the annual budget.

(3) The impoundment fee and daily boarding fee shall be paid by the owner of the animal except in cases where the owner is unknown.

(4) The owner of an animal which has been impounded under this ordinance and who has not paid either the impoundment or boarding fees may be proceeded against in the name of the county and in the manner provided for in a civil action, for the amount of the fees plus any direct collection costs incurred by the county.

[History: (3) am., Sub. 1 to OA 13, 1983-84, adopted 11/03/83; (1) and (2) am., Sub. 1 to OA 38, 2002-03, pub. 06/20/03; (2) and (3) am., Sub. 1 to OA 32, 2006-07, pub. 04/19/07.]

[47.36 - 47.40 reserved.]

47.41 SALE OF SKUNKS PROHIBITED.

No person shall sell, offer for sale, give away, trade, possess or assist in selling, giving or trading any live skunk in Dane County.

47.42 FEEDING OF DEER PROHIBITED.

(1) No person shall intentionally feed wild deer in Dane County.

(2) This section shall not apply to standing or stored crops not intentionally made available to

wild deer. This section shall also not apply to captive deer located on deer farms.

[History: 47.42 cr., OA 3, 2002-03, pub. 05/24/02; eff. 05/25/02 and expires 09/01/02; 47.42 recr., OA 12, 2003-04, pub. 12/03/03, expires 09/01/05.]

47.43 REPORTING OF DEER OR ELK DEATH. The owner or lessee of land licensed as a game farm under section 29.867, Wis. Stats., or licensed as a deer farm under section 29.871, Wis. Stats., shall report to the Wisconsin Department of Agriculture, Trade and Consumer Protection all cases on the land so licensed of deer or elk deaths. Such reports shall be made to the Department of Agriculture, Trade and Consumer Protection within 24 hours of the time the owner or lessee first learns of the death of the deer or elk on the licensed land.

[History: 47.43 cr., OA 3, 2002-03, pub. 05/24/02; eff. 05/25/02 and expires 09/01/02.]

47.44 ABATEMENT ORDERS.

(1) A subcommittee of the Board of Health for Madison and Dane County is hereby designated and authorized, pursuant to sec. 173.03(2) of the Wisconsin Statutes, to affirm, modify, or withdraw abatement orders issued under sec. 173.11 of the Wisconsin Statutes by any humane officer or law enforcement officer.

(2) Any person named in an abatement order may appeal such order to the subcommittee of the Board of Health for Madison and Dane County within 10 days of service of the order. The notice of appeal must state the grounds for the appeal with specificity. The subcommittee shall schedule a hearing to be held within ten days of the receipt of the notice of appeal, unless the appellant agrees to a later date. The subcommittee shall make reasonable efforts to notify the appellant, the officer issuing the abatement order, and any other interested party of the hearing and the opportunity to present evidence and testimony at the hearing. The hearing shall be informal in nature. Within ten days after the hearing, the subcommittee shall determine whether to affirm, modify and affirm, or withdraw the abatement order and shall issue its decision in writing and serve it upon the appellant and other interested parties.

(3) Any person adversely affected by a decision under sub. (2) may seek judicial review by commencing an action in circuit court within 30 days after the date of the decision.

[History: cr., Sub. 1 to OA 38, 2002-03, pub. 06/20/03; (1) and (2) am., Sub. 1 to OA 8, 2008-09, pub. 08/18/08; (1) and (2) am., 2019 OA-2, pub. 07/22/19.]

[47.45 - 47.50 reserved.]

47.51 PENALTIES. (1) Any person who violates section 47.11(1) of this ordinance shall forfeit not less than \$50.00 nor more than \$100.00.

(2) Any person who shall violate section 47.11(2) of this ordinance shall forfeit not less than \$10.00 nor more than \$50.00.

(3) Any person who shall violate section 47.12 of this ordinance shall forfeit not less than \$20.00 nor more than \$200.00.

(4) Any person who shall violate section 47.13 of this ordinance shall forfeit not less than \$100.00 nor more than \$1,000.00.

(5) Any person who shall violate section 47.14 of this ordinance shall forfeit not less than \$100.00 nor more than \$1,000.00.

(6) Any person who shall violate section 47.41 of this ordinance shall forfeit not less than \$10.00 nor more than \$200.00.

(7) Any person who violates section 47.16(1) of this ordinance shall forfeit not less than \$15.00 nor more than \$50.00.

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

(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.

(8n) Any person who violates section 47.17(2m) of this ordinance shall forfeit not more than \$500.

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

(9m) Any person who violates section 47.17(5) of this ordinance shall forfeit not less than \$25.00 nor more than \$100.00 for the first offense and not less than \$50.00 nor more than \$200.00 for each subsequent offense.

(10) Any person who violates sec. 47.18 shall be subject to a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500).

(11) Any person who violates section 47.19(1) of this ordinance shall forfeit not less than \$5.00 nor more than \$20.00 for the first offense within any 90 day period, not less than \$10.00 nor more than \$30.00 for the second offense within the same 90 day period, not less than \$20.00 nor more than \$40.00 for the third offense within the same 90 day period, not less than \$50.00 nor

more than \$150.00 for the fourth offense within the same 90 day period and not less than \$75.00 nor more than \$200.00 for each subsequent offense within the same 90 day period.

(12) Any person who violates section 47.42(1) of this ordinance shall forfeit not less than \$100.00 nor more than \$300.00.

(13) Any person who violates sec. 47.20 shall be subject to a forfeiture of not more than the maximum forfeiture or fine provided by the adopted state law, and shall in addition be subject to a forfeiture for court costs and the costs of prosecution, and in default of these, such person shall be confined in the Dane County Jail for not more than six (6) months.

[History: (7), (8), (9), (10) and (11) cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83; (11) am., OA 4, 1991-92, pub. 05/29/91; (12) cr., OA 3, 2002-03, pub. 05/24/02; (13) cr.,

Sub. 1 to OA 38, 2002-03, pub. 06/20/03; (12) am., OA 12, 2003-04, pub. 12/03/03, expires 09/01/05; (10) rep. and recr., OA 40, 2008-09, pub. 05/11/09; (8m) cr., (9) am., OA 4, 2010-11, pub. 09/02/10; (9m) cr., Sub. 1 to 2018 OA-7, pub. 10/2/18; (8n) cr., 2023 OA-79, pub. 05/20/24.]

47.52 EACH DAY A SEPARATE OFFENSE.

Each day a violation exists shall constitute a separate violation.

[History: cr., Sub. 1 to OA 13, 1983-84, adopted 11/03/83.]

[47.53 - 47.99 reserved.]

END OF CHAPTER