

Ordinance O-5-10

An Ordinance Relating to the Regulation of Dogs, Cats and Ferrets

Introduced by Alderman Hendricks

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Amend Title 7, Chapter 1 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

Title 7 – Licensing and Regulation

CHAPTER 1

Licensing of Dog, Cat or Ferret ~~or Cat~~ and Regulation of Animals

SEC. 7-1-1 DOG, CAT OR FERRET ~~OR CAT~~ LICENSE REQUIRED; DEFINITIONS.

...

(b) **DEFINITIONS.** In this Chapter, unless the context or subject matter otherwise require:

(14) “Bite” shall mean to seize, pierce or cut with the teeth or with parts of the jaw or to create a wound, usually superficial, inflicted by nails or claws pulled across the skin.

SEC. 7-1-2 RABIES VACCINATION REQUIRED FOR LICENSE.

(a) **RABIES VACCINATION.** The owner of a dog, cat or ferret ~~or cat~~ shall have the animal ~~dog or cat~~ vaccinated against rabies by a veterinarian within thirty (30) days after the animal ~~dog or cat~~ reaches five (5) months of age and re-vaccinated within one (1) year after the initial vaccination. If the owner obtains the dog, cat or ferret ~~or cat~~ or brings the dog, cat or ferret ~~or cat~~ into the City of Menasha after the animal ~~dog or cat~~ has reached five (5) months of age, the owner shall have the animal ~~dog or cat~~ vaccinated against rabies within thirty (30) days after the animal ~~dog or cat~~ is brought into the City unless the animal ~~dog or cat~~ has been vaccinated as evidenced by a current certificate of rabies vaccination. The owner of a dog, cat or ferret ~~or cat~~ shall have the animal ~~dog or cat~~ ~~cat~~ re-vaccinated against rabies by a veterinarian before the date of that immunization expires as stated on the certificate of vaccination or, if no date is specified, within three (3) years after the previous vaccination. The certificate of vaccination shall meet the requirements of Section 95.21(2), Wis. Stats. Should the owner of a dog, cat or ferret ~~or cat~~ ~~cat~~ provide evidence from a veterinarian that a particular dog, cat or ferret ~~or cat~~ should not be vaccinated for rabies, this requirement shall not apply. The owner must file such veterinarian statement annually when applying for the cat, dog or ferret ~~or cat~~ license. The Finance Department shall notify the Police Department of any cat, dog or ferret ~~or cat~~ ~~cat~~ whose owner files such a veterinarian statement.

SEC. 7-1-5 RABIES QUARANTINE.

- (a) **DOG, CAT OR FERRET OR CAT ~~OR CAT~~ **CONFINED.**** If a district is quarantined for rabies, all dogs, cats or ferrets ~~or cat~~ within the City shall be kept securely confined, tied, leashed or muzzled. Any dog, cat or ferret ~~or cat~~ not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The City Clerk shall promptly post in at least three (3) public places in the City notices of quarantine.
- (b) **EXEMPTION OF VACCINATED DOG, CAT OR FERRET ~~OR CAT~~ **FROM CITY QUARANTINE.**** A dog, cat or ferret ~~or cat~~ which is immunized currently against rabies, as evidenced by a valid certificate of rabies vaccination or other evidence, is exempt from the City quarantine provisions of Subsection (a) if a rabies vaccination tag or substitute tag is attached to the animal's ~~dog or cat~~ collar.
- (c) **QUARANTINE OR SACRIFICE OF AN ANIMAL SUSPECTED OF BITING A PERSON OR BEING INFECTED OR EXPOSED TO RABIES.**
- (1) **Quarantine or sacrifice of dog, cat or ferret ~~or cat~~.** An officer shall order a dog, cat or ferret ~~or cat~~ quarantined if the officer has reason to believe that the animal bit a person, is infected with rabies or has been in contact with a rabid animal. If quarantine cannot be imposed because the dog, cat or ferret ~~or cat~~ cannot be captured, the officer may kill the animal. The officer may kill a dog, cat or ferret ~~or cat~~ only as a last resort if the owner agrees. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.
- (2) **Sacrifice of other animals.** An officer may order killed or may kill an animal other than a dog, cat or ferret ~~or cat~~ if the officer has reason to believe that the animal bit a person or is infected with rabies.
- (d) **QUARANTINE OF DOG, CAT OR FERRET ~~OR CAT~~.**
- (1) **Delivery to isolation facility or quarantine on premises of owner.** An officer who orders a dog, cat or ferret ~~or cat~~ to be quarantined shall deliver the animal or shall order the animal delivered to an isolation facility as soon as possible but no later than twenty-four (24) hours after the original order is issued or the officer may order the animal to be quarantined on the premises of the owner if the animal is immunized currently against rabies as evidenced by a valid certificate of rabies vaccination or other evidence.
- (2) **Health risk to humans.** If a dog, cat or ferret ~~or cat~~ is ordered to be quarantined because there is reason to believe that the animal bit a person, the custodian of an isolation facility or the owner shall keep the animal under strict isolation under the supervision of a veterinarian for at least ten (10) days after the incident occurred. In this paragraph, "supervision of a veterinarian" includes, at a minimum, examination of the animal on the first day of isolation, on the last day of isolation and on one (1) intervening day. If the observation period is not extended and if the veterinarian certifies that the dog, cat or ferret ~~or cat~~ has not exhibited any signs of rabies, the animal may be released from quarantine at the end of the observation period.

- (3) Risk to animal health.
- a. If a dog, cat or ferret or cat is ordered to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal and if the animal dog or cat is not currently immunized against rabies, the custodian of an isolation facility or the owner shall keep the animal leashed or confined for one hundred eighty (180) days. The owner shall have the animal vaccinated against rabies between one hundred fifty-five (155) and one hundred sixty-five (165) days after the exposure to a rabid animal.
 - b. If a dog, cat or ferret or cat is ordered to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal but if the dog, cat or ferret or cat is immunized against rabies, the custodian of an isolation facility or the owner shall keep the animal leashed or confined for sixty (60) days. The owner shall have the animal re-vaccinated against rabies as soon as possible after exposure to a rabid animal.
- (4) Sacrifice of a dog, cat or ferret or cat exhibiting symptoms of rabies. If a veterinarian determines that a dog, cat or ferret or cat exhibits symptoms of rabies during the original or extended observation period, the veterinarian shall notify the owner and officer who ordered the animal quarantined and the officer or veterinarian shall kill the animal in a humane manner and in a manner which avoids damage to the animal's head. If the dog, cat or ferret or cat is suspected to have bitten a person, the veterinarian shall notify the person or the person's physician.

SEC. 7-1-9 DUTY OF OWNER IN CASE OF DOG, CAT OR FERRET OR CAT BITE.

Every owner or person harboring or keeping a dog, cat or ferret or cat who knows that such animal dog or cat has bitten any person shall immediately report such fact to the City Health Officer and shall keep such animal dog or cat confined for not less than ten (10) days or for such period of time as the Health Officer shall direct. The owner or keeper of any such dog, cat or ferret or cat shall surrender the animal dog or cat to a law enforcement or humane officer upon demand for examination.

SECTION 2: This amending Ordinance shall take effect upon passage and publication as provided by law.

Passed and approved this _____ day of _____, 2010.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk