

ORDINANCE NO. 24

The Jefferson County Board of Supervisors does ordain as follows:

24.1 TITLE. This ordinance shall be known and cited as the Jefferson County Rabies Control Ordinance.

24.2 PURPOSE. Medical science has established that a number of small animals, including dogs and cats, carry an infection commonly referred to as "rabies" which can be transferred to humans. This ordinance is enacted as a public health measure to protect persons from infection as a result of a dog or cat bite.

24.3 DEFINITIONS. As used in this ordinance: (1) "Isolation facility" means a humane society shelter, veterinary hospital, or municipal pound.

(2) "Officer" means a peace officer, full-time health officer, humane officer, warden, or other person designated by the governing body of a city, village or town.

(3) "Owner" means a person who owns, harbors, keeps or controls any cat or dog, and includes the parent, guardian or custodian of any minor who owns a cat or dog.

(4) "Peace officer" has the meaning designated under Section 939.22(22), Stats.

(5) "Veterinarian" has the meaning designated under Section 453.02(2), Stats.

(6) "Warden" has the meaning designated under Section 24.01(11), Stats.

(7) "Immediate family" means the owner's spouse and dependents as defined for federal income tax purposes.

(8) "Bite" means the breaking, tearing or puncturing of the skin by the teeth of an animal.

(9) "Humane Society" means the Jefferson County Humane Society, Jefferson, Wisconsin, or the Watertown Humane Society, Watertown, Wisconsin.

24.4 DUTY OF OWNER. (1) The owner of a dog shall have the dog vaccinated against rabies by a veterinarian within 30 days after the dog reaches 4 months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into Jefferson County after the dog has reached 4 months of age, the owner shall have the dog vaccinated against rabies within 30 days after the dog is obtained or brought into the County, unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination from another county within this state or another state. The owner of a dog shall have the dog 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 3 years after the previous vaccination.

(2) The owner of any dog or cat which bites any person other than the owner or the owner's

immediate family shall make a report of the bite incident to the Jefferson County Sheriff, giving the date, place and name of the dog or cat bite victim. The owner shall make such report immediately upon gaining personal knowledge of such bite, or immediately after receiving reliable information of such bite from the Sheriff or any other person.

(3) The owner shall attach a rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog at all times, but this requirement does not apply to a show dog during competition, to a dog while hunting, to a dog securely confined indoors or to a dog securely confined in a fenced area. The requirements of this paragraph do not apply to a dog which is not required to be vaccinated under Section 24.4(1).

(4) The owner shall pay the cost of the rabies vaccination and the cost associated with the issuance of a certificate of rabies vaccination and the delivery of a rabies vaccination tag.

24.5 DUTY OF VETERINARIANS. (1) A veterinarian who vaccinates a dog against rabies shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the Wisconsin Department of Agriculture, Trade and Consumer Protection, stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog, the date of the vaccination, the type of rabies vaccine administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the Center for Disease Control of the U.S. Department of Health, Education and Welfare, and the city, village or town where the dog is required to be licensed.

(2) The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for this purpose until the date that the immunization expires or until the dog is revaccinated, whichever occurs first.

(3) After issuing the certificate of rabies vaccination, the veterinarian shall deliver to the owner a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given and the name, address and telephone number of the veterinarian.

(4) The veterinarian may furnish a new rabies vaccination tag with a new serial number to an owner in place of the original tag upon presentation of the certificate of rabies vaccination. The veterinarian shall then indicate the new tag number on the certificate and keep a record in the file.

(5) Any practicing veterinarian who is requested to be involved in the rabies control program by an officer is encouraged to cooperate in a professional capacity with the local health department, the officer involved, and if the animal is suspected to have bitten a person, that person's physician.

24.6 DUTY OF SHERIFF. (1) If the Jefferson County Sheriff has cause to believe that any animal has bitten a person other than the owner or the owner's immediate family, the Sheriff shall investigate the incident, and if such animal can be identified and located, the Sheriff shall take action in accordance with this ordinance. [Ord. No. 83-10, §24.6(1), 09-13-83]

(2) If the owner of such animal can be located, the Sheriff shall supply the owner with

information concerning the animal bite incident. [Ord. No. 83-10, §24.6(2), 09-13-83]

(3) The Sheriff, or any other officer, shall order an animal 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 a quarantine cannot be imposed because the animal cannot be captured, the officer may kill the animal. The officer may kill an animal only as a last resort or 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. [Ord. No. 83-10, §24.6(3), 09-13-83]

(4) If the Sheriff or any officer kills an animal pursuant to this ordinance, said officer shall deliver the carcass to a veterinarian or local health department immediately. Said veterinarian or local health department shall thereafter follow the procedures set forth in Section 95.21(6), Stats. [Ord. No. 83-10, §24.6(4), 09-13-83]

(5) The Sheriff shall complete the procedure for each bite incident by reporting the results of quarantine or sacrifice of the suspected animal to the victim and the owner, if known. [Ord. No. 83-10, §24.6(5), 09-13-83]

24.7 QUARANTINE OF ANIMAL. (1) An officer who orders an animal 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 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. [Ord. No. 83-10, §24.7(1), 09-13-83]

(2) The custodian of an isolation facility or the owner shall keep an animal which is ordered to be quarantined in strict isolation under the supervision of a veterinarian for at least 10 days. Supervision of a veterinarian includes, at a minimum, examination of the animal on the first day, on the 10th day and on one intervening day. If the observation period is not extended and if the veterinarian certifies that the animal has not exhibited any symptoms of rabies, the animal may be released from quarantine at the end of the 10-day observation period. [Ord. No. 83-10, §24.7(2), 09-13-83]

(3) Extended observation may be ordered for an animal not currently immunized against rabies if the animal is suspected to have been in contact with a rabid animal. An officer may order the owner to keep the animal in strict isolation for an additional 170 days, during which time the owner shall have the animal vaccinated against rabies between the 145th and 155th day after the beginning of the original observation period. If a veterinarian certifies that the animal has not exhibited any symptoms of rabies during the extended observation period, the animal may be released from quarantine at the end of that period. [Ord. No. 83-10, §24.7(3), 09-13-83]

(4) If a veterinarian determines that an animal exhibits symptoms of rabies during the original or extended observation period, the veterinarian shall notify the owner and the 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 animal is suspected to have bitten a person, the veterinarian shall notify the person or the person's physician. Following such sacrifice of the animal, the carcass shall be prepared and delivered to the State Laboratory of Hygiene as set forth in Section 95.21(6), Stats. [Ord. No. 83-10, §24.7(4), 09-13-83]

24.8 DUTY OF ISOLATION FACILITIES. (1) Isolation facilities shall receive and quarantine any animal known or suspected to have bitten a person for a 10-day period of observation for symptoms of rabies, as set forth in Section 24.7.

(2) All expenses incurred by the isolation facility, including supervision and examination of the animal by a veterinarian, preparation of the carcass for laboratory examination and the laboratory examination fee shall be charged to the animal's owner. In the event the owner is unknown, the County shall reimburse the isolation facility for the above stated charged from the dog license fund.

24.9 PROOF OF VACCINATION REQUIRED BEFORE ISSUANCE OF LICENSE. No collecting official, as defined in Section 174.065(1), Stats., shall issue a dog license unless the owner of said dog presents an unexpired certificate of rabies vaccination.

24.10 APPLICATION OF ORDINANCE. This ordinance shall apply to the cities, towns and villages in Jefferson County, but the ordinance shall not be applicable to any municipality which has in force a more restrictive ordinance providing for the quarantine of animals suspected of biting persons.

24.11 PENALTIES. (1) An owner who fails to have a dog vaccinated against rabies as required under this ordinance may be required to forfeit not less than \$50 nor more than \$100, together with taxable costs, and, upon default in the payment of such forfeiture and costs, such owner may be incarcerated in the County Jail until such forfeiture and costs are paid, but in no event shall such confinement exceed 30 days.

(2) An owner who refuses to comply with an order issued under this ordinance to deliver an animal to an officer, isolation facility or veterinarian, or who does not comply with the conditions of an order that an animal be quarantined, shall forfeit not less than \$200 nor more than \$2000, together with taxable costs, and, upon default in the payment of such forfeiture and costs, such owner may be incarcerated in the County Jail until such forfeiture and costs are paid, but in no event shall such confinement exceed 30 days.

(3) A person who issues a dog license without presentation of an unexpired certificate of rabies vaccination may be required to forfeit not less than \$100 nor more than \$500, together with taxable costs, and, upon default in the payment of such forfeiture and costs, such person may be incarcerated in the County Jail until such forfeiture and costs are paid, but in no event shall such confinement exceed 30 days.

24.12 ENFORCEMENT. It shall be the duty of the Jefferson County District Attorney to prosecute violations of this ordinance. The District Attorney may also seek an injunction or other judicial process to enforce the provisions of this ordinance.

24.13 SEVERABILITY. If any provision of this ordinance shall be determined by a court to be invalid, the validity of the remaining portions of this ordinance shall not be affected.

24.14 PUBLICATION. (1) The County Clerk shall cause a Class 1 notice under Chapter 985, Stats., to be published between January 1 and January 15 of each year in a newspaper having general circulation in the County, notifying the public that rabies vaccinations and dog licenses are required under the Wisconsin Statutes.

(2) The County Clerk shall cause a Class 1 notice under Chapter 985, Stats., to be published between March 1 and March 15 of each year in a newspaper having general circulation in the County, notifying the public that rabies vaccinations and dog licenses are required under the Wisconsin Statutes and that late fees will be assessed after April 1.

ADOPTED 12/09/80

Amended 09-13-83 (Ord. 83-10)