

TITLE 23

Miscellaneous Law Enforcement Provisions

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Chapter 1

Alarm Regulation

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Sec. 23-1-1 Title.

This chapter may be cited as the Alarm Regulation Ordinance.

Sec. 23-1-2 Legislative Findings; Purpose.

- (a) The County Board of Supervisors finds that alarm devices, as hereafter defined, serve a useful function; but that some such devices are prone to generating false alarms and that such false alarms undermine the value of alarms generally, reduce the level of law enforcement at times, and expose both law enforcement officers and the general public to unnecessary risks because of the response that must be made to such alarms.
- (b) The purpose of this chapter is to reduce the number of false alarms by: eliminating automatic telephone alarm devices preprogrammed to telephone county emergency numbers, by requiring permits for certain types of alarms, and by imposing penalties upon the owners of alarm devices which repeatedly generate false alarms.

Sec. 23-1-3 Authority.

This chapter is enacted under the authority of Section 59.07(5) and 59.07(64), Wis. Stats.

Sec. 23-1-4 Administration; Enforcement.

- (a) The Judiciary and Law Enforcement Committee of the Columbia County Board shall act as the policy oversight body with respect to the operation of this chapter.
- (b) Implementation and day-to-day administration of this chapter shall rest with the Columbia County Sheriff. The Sheriff shall designate persons who shall act as custodians of application records and perform such other functions with respect to this Ordinance as may from time to time be directed by the Sheriff.
- (c) The Columbia County Corporation Counsel's Office shall prosecute violations of this Ordinance.
- (d) Any law enforcement officer employed by the County of Columbia may issue citations for violations of this chapter.
- (e) In lieu of issuing citations under this chapter, the Corporation Counsel may issue formal Summons and Complaints in any particular case.

Sec. 23-1-5 Definitions.

- (a) **Alarm or Alarm Device or Device** - shall mean any device, whether mechanical, electrical or otherwise, which is designed to be activated by a criminal act, a fire or other act unauthorized by the owner of the device and which sends an audible, electronic, voice or other type of signal intended to alert law enforcement officers of the criminal act, fire or other unauthorized act.
- (b) **Committee** - shall mean the Judiciary and Law Enforcement Committee of the Columbia County Board of Supervisors.
- (c) **Department** - shall mean the Columbia County Sheriff's Department.
- (d) **False Alarm** - means any signal generated by an alarm device which, in fact, is not activated by the type of activity the device is intended to detect, or which is not due to an emergency situation. False alarms include, but are not limited to, alarms which are triggered by negligent or willful acts of employees of alarm owners.
- (e) **Owner** - means the owner of an alarm device, or his or her agent or employee.
- (f) **Person** - means individuals, associations of individuals, firms, corporations and business entities.
- (g) **Type I Alarm** - is any alarm device which, when activated, sends its signal to agencies, persons or firms, private or public, other than the Department. Type I Alarms which send signals to public law enforcement agencies other than the Department are not covered by the terms of this Ordinance in any manner whatsoever.
- (h) **Type II Alarm** - is any alarm device located in the unincorporated areas of the County which generates an alarm signal which is either audible or visible to persons passing by the premises where the alarm is located, or both audible and visible to such persons.
- (i) **Prohibited Types of Alarms** - any alarm device which, upon being activated, sends the alarm signals directly to a console of the Department; or any alarm device which, when activated, sends a prerecorded message over telephone lines to the Department.

Sec. 23-1-6 Alarm Devices General Regulation.

Except as hereafter provided, no device which transmits any type of signal to the Department or to any agency of Columbia County government shall be installed or maintained in existence unless in accordance with the terms of this chapter and any such existing device shall be removed within 90

days of the effective date of this Ordinance.

Sec. 23-1-7 Alarm Devices; Regulation Excepted.

It is not intended hereby to regulate any alarm device which is not designed to, directly or indirectly, and does not in fact, generate a response from any agency of Columbia County government. Alarm devices which generate signals to private firms, which in turn call upon county government agencies for response, shall be subject to the penalties for false alarms hereinafter set forth and such other requirements as are established.

Sec. 23-1-8 Responsibility for Acts of Others.

Owners of alarms shall be responsible for the acts of persons acting under their control or under their authority. Owners of commercial establishments utilizing Type I or Type II alarms shall be responsible for the acts of their employees or others acting under their control, at their direction or with their permission. Employees, patrons or agents of an alarm owner shall be presumed to be acting at the direction of or under the control of the owner or tenant of the premises where the device is located unless the circumstances show otherwise.

Sec. 23-1-9 Permits; Application Materials Confidential.

Applications for permits under this Ordinance are confidential and shall not be released to any person by the custodian thereof, except upon court order or upon waiver of the applicant.

Sec. 23-1-10 Permits; Who Issues.

Permits authorized by this Ordinance shall be issued only by the Department.

Sec. 23-1-11 Type I Alarms; Regulations.

Owners of Type I alarms shall be responsible for false alarm signals generated by alarm devices on their premises or under their control only if the owner, his or her agent or any other person, upon observing an alarm signal, conveys a request for emergency service to the Department or any other county agency.

Sec. 23-1-12 Type I Alarms; Information Required.

Owners of Type I alarms intending to request or actually requesting emergency response services from the Department or any county agency at any location where a Type I alarm is installed shall first file the following information with the Department:

- (a) the name, address and telephone number of the owner;
- (b) the exact location of each alarm device;
- (c) the names, addresses, and telephone numbers of at least three (3) individuals who are familiar with the device, who are available at any time to deactivate the device upon request of the Department, and who are authorized to assume the obligations of Section 23-1-17 (a) through (d);
- (d) the nature of the business or facility which the device is intended to protect; and
- (e) the nature of acts or events which the device is intended to detect.

Sec. 23-1-13 Type I Alarms; Penalties.

Any owner who directly, or through his or her agent, generates a request of emergency response services from the Department or any other county agency at a time when current information required by Section 23-1-12 is not on file with the Department shall be subject to the penalty listed in the Penalty Section. Each such request shall be considered a separate offense.

Sec. 23-1-14 Type II Alarms; Regulations.

- (a) Any person installing a Type II Alarm shall first obtain a permit therefor.
- (b) Owners of existing installations of Type II alarms shall obtain permits therefor within 90 days of the effective date of this Ordinance or permanently disable such devices.

Sec. 23-1-15 Type II Alarms; Permits.

- (a) Persons desiring to obtain permits for Type II alarms shall submit written applications therefor. Such applications shall include those items listed in Sec. 23-1-12 (a) through (e) and such additional information as may reasonably be required by the Department, including who, in the absence of the owner, are authorized to allow officers of the Department to enter the premises.
- (b) Permits issued pursuant to this section shall be valid only for the calendar year in which issued. Permittee shall remove or permanently disable Type II alarms within ten (10) days following the expiration of a permit.

Sec. 23-1-16 Type II Alarms; Penalties.

- (a) Any person installing or maintaining a Type II alarm without first obtaining a permit therefor shall be subject to the penalty listed in the Penalty Section for each day a violation exists.
- (b) Any person who fails to designate responsible parties as required by Section 23-1-15(a) shall be subject to the penalty listed in the Penalty Section for each day a violation exists.
- (c) Any person failing to disable a Type II alarm within the time required by Section 23-1-14 (b) shall be subject to the penalty listed in the Penalty Section for each day a violation exists.

Sec. 23-1-17 Designation of Responsible Parties.

- (a) Owners of Type I and Type II alarms shall also designate at least three responsible third parties who can be contacted at times when the owner is unavailable for any reason and who shall be able and authorized to:
 - (1) empower repair persons to conduct repairs, at the owner's sole expense, in the event of a malfunctioning alarm;
 - (2) disarm the alarm if requested to do so by the Department;
 - (3) provide entry to the premises if requested by an officer of the Department; and
 - (4) give the exact location of the alarm device to the Department upon request of one of its officers.

Sec. 23-1-18 False Alarms; Penalties.

- (a) The owner of any alarm device shall pay forfeitures as listed in the schedule contained in the Penalty Section at Title 1, Chapter 2, for false alarms generated by the device and responded to by law enforcement officers employed by Columbia County.
- (b) The number of false alarms shall be calculated by reference to the number occurring within any particular calendar year.

Sec. 23-1-19 False Alarms; Revocation of Permits.

- (a) Any owner who fails to take action to reduce the incidence of false alarms may have his or her permit revoked by the Committee. Such action may be required when there have been 3 or more false alarms at any one location in any one calendar year. Evidence that there have been more than 6 false alarms in any one calendar year shall constitute a rebuttable presumption that the owner has failed to take reasonable action to reduce the number of false alarms and the burden of proving that reasonable action has been taken may be upon the owner of the alarm.
- (b) After deciding to seek revocation of any permit, the Department shall notify the owner of its intention to seek revocation, stating with specificity the grounds therefor and the date on which a hearing on its petition for revocation will be heard. Such notice shall be sent by certified mail, return receipt requested, to the last known address of the owner.
- (c) Such notice shall inform the owner of his or her right to a hearing before the Committee or a person appointed by the Committee, and the date of such hearing, which shall be held in not less than 15 days nor more than 30 days exclusive of the date of the notice.
- (d) In the event the addressee refuses acceptance of the notice, the date of refusal shall be deemed to be the date of receipt of the notice.
- (e) In the event the Post Office is unable to deliver the notice for reasons other than a refusal of acceptance by the addressee, the date of return to the Department shall be deemed to be the date of receipt.
- (f) In lieu of serving the notice by mail, the Department may effectuate service by personal delivery of the notice to the owner or an employee or agent of the owner, or adult member of the owner's household.
- (g) Where the owner does not receive or constructively receive the notice of hearing at least 10 days before the date of the hearing, the hearing shall be rescheduled in such a manner that at least 10 days' notice or constructive notice is provided.
- (h) At any such hearing, the owner shall be allowed to call witnesses, cross-examine witnesses, testify in his or her own behalf, make objections to evidence, and make argument, written or oral as permitted by the Committee or hearing officer. All such hearings shall be recorded by tape recording and any person desiring a duplicate recording or typed transcript thereof shall bear the actual costs thereof.
- (i) The Committee, by its chairman, or the hearing officer, shall make rulings on admissibility of evidence and other motions of the parties. Decisions of the committee or the hearing officer shall be based solely upon the record of the hearing and shall include findings of fact and conclusions. Appeals from such decisions may be taken in the manner permitted by law.

Chapter 2

Medical Care to Prisoners

23-2-1	General Provisions
23-2-2	Definitions
23-2-3	Prisoner's Health Care
23-2-4	Health Care Costs to Prisoners
23-2-5	County Jail Responsibility for Health Care Expenses

Sec. 23-2-1 General Provisions.

- (a) TITLE - This ordinance shall be referred to as the "Columbia County Sheriff's Office - Medical Care to Prisoners Ordinance".
- (b) EFFECTIVE DATE - The effective date of this ordinance shall be immediately after adoption by the Columbia County Board of Supervisors and its pursuant publication.
- (c) PURPOSE AND GENERAL POLICY - This policy is intended to establish guidelines for payment of fees for medical costs of prisoners while incarcerated in the Columbia County jail.
- (d) INTERPRETATION - The provisions of this ordinance shall be interpreted to be the minimum requirements and shall be liberally translated in favor of Columbia County and shall not be deemed a limitation of any power granted by the State of Wisconsin Statutes.

Sec. 23-2-2 Definitions.

- (a) INDIGENT - A prisoner who has assets which fall below the indigency standard pursuant to Wis. Stats. 59.025 and 302.38.
- (b) HUBER PRISONER - Prisoners sentenced by the court to jail who are allowed to leave the jail for specified reason(s) as stated in Wis. Stats. 303.08(1).

Sec. 23-2-3 Prisoner's Health Care.

- (a) No prisoner shall be refused medical and/or dental care/treatment while housed in the Columbia County Jail.
- (b) The Columbia County Health Care staff will provide the following care to prisoners:
 - (1) Medical Emergency care/assessment.
 - (2) Admitting physical screening.
 - (3) Follow up visits recommended by medical staff.
 - (4) In-house mental health screening.
 - (5) Ambulance or squad car service to hospitals and health care facilities.

Sec. 23-2-4 Health Care Costs to Prisoners.

- (a) The prisoner shall be ultimately liable for the cost of medical care inside or outside of the jail.
- (b) Prisoners who do not have a sufficient amount of money in their account at the time medical services is provided, will have medical fees assessed to their account creating a negative balance.
- (c) Any monies obtained by the prisoner will be credited to the negative balance.

Sec. 23-2-5 County Jail Responsibility for Health Care.

- (a) Limitation on Liability - The maximum amount that Columbia County shall pay for the cost of medical, dental or hospital care provided to any prisoner housed at the Columbia County Jail whom it is financially responsible for shall be limited to the amount payable by Medical Assistance under Sec. 49.43 to 49.47, Wis. Stats., except Sec. 49.468, Wis. Stats., for care for which a Medical Assistance rate exists.
- (b) Inability of prisoner to pay for cost of care - It shall be presumed that a prisoner is able to pay for the cost of medical or dental care if his income and assets exceed the financial eligibility standards established by the State of Wisconsin for AFDC eligibility. In making a determination as to the financial ability of a prisoner to pay for the cost of his medical and dental care, the income of a prisoner shall be counted for thirty days prior to the first date of medical treatment. Columbia County shall not pay the cost of medical, dental and hospital care provided to a prisoner inside or outside of the Jail who exceeds such financial eligibility limit. For purposes of making a determination as to the financial ability of a prisoner to pay for the cost of medical, dental and hospital care, the Columbia County Sheriff or an employee of Columbia County may require a prisoner to complete an AFDC application form. In the absence of such a completed form, Columbia County may rely on any other information which is available as to the prisoner's present income and assets, including, but not limited to, the prisoner's application for representation through the Wisconsin Public Defender's Office. This ordinance shall not diminish the rights of Columbia County to collect any amount paid on behalf of the prisoner for medical, dental or hospital care from the prisoner or his or her estate in the future.
- (c) Collection - Columbia County shall make a diligent effort to collect the value of any medical, dental or hospital care provided to a prisoner inside or outside the County Jail, or from the prisoner's estate as provided for in Sec. 49.08, Wis. Stats. The Columbia County Sheriff, in conjunction with the Columbia County Judiciary Committee, shall formulate a policy with regard to the collection of said monies.

Chapter 3

Public Assemblies

23-3-1	Intent of Regulations
23-3-2	License
23-3-3	Exceptions
23-3-4	Conditions for License
23-3-5	Application for License
23-3-6	Issuance of License
23-3-7	Revocation of License
23-3-8	Enforcement

Sec. 23-3-1 Intent of Regulations.

It is the purpose of the county to regulate the assemblage of large numbers of people, in excess of those normally needing the health, sanitary, fire, police, transportation and utility services regularly provided in this county, in order that the public peace and good order, the health, safety and welfare of all persons in this county, residents and visitors alike, may be protected.

Sec. 23-3-2 License.

- (a) No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to an actual or reasonably anticipated assembly of 1,000 or more people which continues or can reasonably be expected to continue for 8 or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by the Board of Supervisors as hereinafter provided. A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly. The term assembly means a company of persons gathered together at any location at any single time for any purpose.
- (b) A separate license is required for each day and each location in which 1,000 or more people assemble or can reasonably be anticipated to assemble. The fee for each license is listed in the Fee Schedule at Title 9.
- (c) A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people.

Sec. 23-3-3 Exceptions.

- (a) This chapter does not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.
- (b) This chapter does not apply to government financially supported fairs or affairs, such as are held on regularly established fairgrounds nor to assemblies required to be licensed by other ordinances or regulations of this county.

Sec. 23-3-4 Conditions for License.

- (a) Before a license may be issued the applicant shall determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly and provided that where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of this county. An overnight assembly is an assembly of 1,000 or more persons which continues between the hours of 9:00 p.m. and 5:00 a.m. consecutively.
- (b) Before a license may be issued the applicant shall provide proof that he will furnish at his own expense before the assembly commences:
 - (1) A fence completely enclosing the proposed location, of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have at least four gates, at least one at or near four opposite points of the compass.
 - (2) Potable water, meeting all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day and water for bathing at the rate of at least 10 gallons per person per day.
 - (3) Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every 200 females and at least one toilet for every 300 males together with an efficient, sanitary means of disposing of waste matter deposited which is in compliance with all state and local laws and ordinances and regulations. A lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet.
 - (4) A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly, and sufficient trash cans with the tight fitting lids and personnel to perform the task.

- (5) Physicians and nurses licensed to practice in Wisconsin sufficient to provide the average medical care enjoyed by residents of Wisconsin for the maximum number of people to be assembled at the rate of at least one physician for every 1,000 people and at least one nurse for every 1,500 people, together with an enclosed covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least one emergency ambulance available for use at all times.
- (6) If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five foot-candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.
- (7) A free parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons.
- (8) Telephones connected to outside lines sufficient to provide service for the maximum number of people to be assembled at the rate of at least one separate line and receiver for each 1,000 persons.
- (9) If the assembly is to continue overnight, camping facilities in compliance with all state and local requirements as set forth in the Wisconsin Administrative Code and ordinances of this county, sufficient to provide camping accommodations for the maximum number of people to be assembled.
- (10) Security guards, either regularly employed, duly sworn, off duty Wisconsin peace officers or private guards, licensed in Wisconsin, sufficient to provide adequate security for the maximum number of people to be assembled at the rate of at least one security guard for every 750 people.
- (11) Fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all state and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and ordinances of this county, and sufficient emergency personnel to efficiently operate the required equipment.
- (12) All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.
- (13) A bond, filed with the Clerk of this county, either in cash or underwritten by a surety company licensed to do business in Wisconsin at the rate of \$1.00 per person for the maximum number of people permitted to assemble, which shall indemnify and hold harmless this county or any of its agents, officers, and employees from any liability or causes of action which might arise by reason of granting this license, and from any cost incurred in cleaning up any waste material produced or left by the assembly.

Sec. 23-3-5 Application for License.

- (a) Application for a license to hold an actual or anticipated assembly of 1,000 or more persons shall be made in writing to the County Clerk at least 30 days in advance of such assembly.
- (b) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual, natural, human being, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group or, if there be no officers, by all members of such association, society or group.

- (c) The application shall contain and disclose:
- (1) The name, age, residence and mailing address of all persons required to sign the application and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, residence and mailing address of each person holding 10% or more of the stock of the corporation.
 - (2) The address and legal description of all property upon which the assembly is to be held together with the name, residence and mailing address of the record owner of all such property.
 - (3) Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner of all such property that the applicant has permission to use such property for an assembly of 2,000 or more persons.
 - (4) The nature or purpose of the assembly.
 - (5) The total number of days and/or hours during which the assembly is to last.
 - (6) The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the county if the assembly is to continue overnight.
 - (7) The maximum number of tickets to be sold, if any.
 - (8) The plans of the applicant to limit the maximum number of people permitted to assemble.
 - (9) The plans for fencing the location of the assembly and the gates contained in such fence.
 - (10) The plans for supplying potable water including the source, amount available and location of outlets.
 - (11) The plans for providing toilet and lavatory facilities including the source, number and location, type, and the means of disposing of waste deposited.
 - (12) The plans for holding, collection, and disposing of solid waste material.
 - (13) The plans to provide for medical facilities including the location and construction of a medical structure, the names and addresses and hours of availability of physicians and nurses, and provisions for emergency ambulance service.
 - (14) The plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lamps.
 - (15) The plans for parking vehicles including size and location of lots, points of highway access and interior roads including routes between highway access and parking lots.
 - (16) The plans for telephone service including the source, number and location of telephones.
 - (17) The plans for camping facilities, if any, including facilities available and their location.
 - (18) The plans for security including the number of guards, their deployment, and their names, addresses, credentials and hours of availability.
 - (19) The plans for fire protection including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment.
 - (20) The plans for sound control and sound amplification, if any, including number, location and power of amplifiers and speakers.

- (21) The plans for food concessions and concessionaires who will be allowed to operate on the grounds including the names and addresses of all concessionaires and their license or permit numbers.
- (22) Certificates of insurance coverage issued by bona fide insurance companies licensed to transact business in this state showing that such companies have insured said applicant, and said assembly in the following ways:
 - a. A comprehensive public liability policy with a maximum limit for all claims in the amount of \$2,000,000.00 and containing a medical payments coverage guaranteeing payment of all medical bills incurred within one year of injury by any person by reason of any injury on said premises during such assembly to a maximum of \$5,000.00 per person.
 - b. A fire legal liability policy with a maximum limit of \$2,000,000.00.
 - c. Workmen's Compensation Insurance as required by Wisconsin law.
- (d) The application shall include the bond required, certificates of insurance, and the license fee.

Sec. 23-3-6 Issuance of License.

The application for a license shall be processed within 20 days of receipt and shall be issued by the County Clerk, if all the conditions are complied with.

Sec. 23-3-7 Revocation of License.

The license may be revoked by the Board of Supervisors or any committee thereof designated by the Board to so act at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with, or if any condition previously met ceases to be complied with.

Sec. 23-3-8 Enforcement.

- (a) The provisions of this legislation may be enforced by injunction in any court of competent jurisdiction, including any such other remedies as the court may allow including but not limited to the penalties provided in this section.
- (b) The holding of an assembly in violation of any provision or condition contained in this legislation shall be deemed a public nuisance and may be abated as such.
- (c) **Penalties.** Any person who violates this Ordinance or who violates any condition upon which he is granted a license may be subject to penalties as listed in the Penalty Section at Title 1, Chapter 2. Each day of violation shall be considered a separate offense.

CHAPTER 4

Rabies Control

23-4-1 Rabies Vaccination or Quarantine Required

Sec. 23-4-1 Rabies Vaccination or Quarantine Required.

- (a) Whoever does any of the following may be penalized as provided in the Penalty Section at Title 1, Chapter 2:
- (1) Owns a dog but fails to vaccinate such animal against rabies by a veterinarian within thirty (30) days after the dog reaches four (4) months of age and revaccinate such animal within one year after the initial vaccination; or
 - (2) Obtains or brings a dog into this county after the dog has reached four (4) months of age but fails to have the dog vaccinated against rabies within thirty (30) days after the dog is obtained or brought into this county unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination; or
 - (3) Owns a dog but fails to 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 three (3) years after the previous vaccination.
 - (4) Owns a dog or cat which has been ordered by an Officer, as defined in Section 95.21(1), Stats., to be quarantined and fails to comply with the order by failing to:
 - (a) Keep the animal under strict isolation under the supervision of a veterinarian for at least 10 days after the biting of a person and having the animal examined by the veterinarian on the first day of isolation, on the last day of isolation, and on one intervening day.
 - (b) Deliver the animal to an isolation facility as soon as possible but no later than 24 hours after the original order is issued, and leave the animal at the isolation facility for the required period of time, or
 - (c) Quarantine the animal on the premises of the owner by keeping the animal leashed or confined for the required period of time and obtaining a rabies vaccination at the required time.

CHAPTER 5

Vehicle Immobilization

23-5-1 Vehicle Immobilization

Sec. 23-5-1 Vehicle Immobilization.

- (a) **Authority.**
 - (1) Adopted pursuant to Sec. 59.025 of the Wis. Stats.
 - (2) This Ordinance shall be subject to the provisions of Chapter 346 of the Wisconsin Statutes, and all subsequent rules and regulations promulgated thereunder regarding rules of the road and the immobilization of violators vehicles.
 - (3) This Ordinance shall not be more lenient nor stringent than the rules and regulations promulgated pursuant to Chapter 346 of the Wisconsin Statutes.
- (b) **Jurisdiction.** The jurisdiction of this Ordinance shall include all lands within Columbia County including the lands within the corporate limits of the cities and villages of Columbia County.
- (c) **Compliance.** Any Columbia County Circuit Court may order a law enforcement officer to seize a motor vehicle, or if the motor vehicle is not ordered seized, shall order a law enforcement officer to equip the motor vehicle with an ignition interlock device or immobilize any motor vehicle owned by a person whose operating privilege is revoked as pursuant to Sec. 346.65 (6), Wis. Stats.
- (d) **Adoption by Reference and Disclaimer of Liability.** Chapter 346, Wisconsin Statutes, entitled Rules of the Road, and all Administrative Codes adopted thereunder pertaining to penalties for motor vehicle operators in violation of Chapters 343, 346 and 940, Wisconsin Statutes, are hereby adopted by reference and made a part of this Ordinance.
- (e) **Definitions.** Law enforcement officer means any within the State of Wisconsin, but presumes a Columbia County Sheriff's Deputy.
- (f) **Fees.** Fees may be reestablished by County Board action and are to be listed in the Fee Schedule. The fee for immobilization shall not be less than the amount established by Sec. 346.65 (6) (e), Wis. Stats.

Chapter 6

Abandoned and Junked Vehicles

23-6-1 Abandoned Vehicles

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Sec. 23-6-1 Abandoned Vehicles.

- (a) **Definitions.** For purposes of this Chapter, the following definitions shall be applicable:
- (1) Vehicle shall mean a motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Wisconsin Law.
 - (2) Unattended shall mean unmoved from its location with no obvious sign of continuous human use.
 - (3) Street shall mean any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.
- (b) **Abandonment of Vehicles Prohibited.** No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private property in Columbia County for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in Columbia County or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than forty-eight (48) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.
- (c) **Presumptions.** For purposes of this Section, the following irrebuttable presumptions shall apply:
- (1) Any vehicle left unattended for more than forty-eight (48) hours on any public street or public ground or left unattended for more than forty-eight (48) hours on private property without the consent of the property owner is deemed abandoned and constitutes a nuisance; provided, that the vehicle shall not be deemed abandoned under this Subsection if left unattended on private property outside of public view and is enclosed within a building, or if designated as not abandoned by the Sheriff or designee.
 - (2) Whenever a property owner or the authorized agent of the property owner, or other person so charged with the lawful jurisdiction thereof, notifies any law enforcement officer that a vehicle has been abandoned on his property or on the public streets adjacent thereto, without permission for more than forty-eight (48) hours, the law enforcement officer shall presume that the vehicle is abandoned.
- (d) **Exceptions.** This Section shall not apply to a vehicle in an enclosed building or a vehicle stored on a premises licensed for storage of junk or junked vehicles and fully in compliance with County zoning regulations, or to a vehicle parked in a paid parking lot or space where the required fee has been paid.

Sec. 23-6-2 Removal and Impoundment of Vehicles.

Any vehicle in violation of this Chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of Section 23-6-3.

Sec. 23-6-3 Removal, Storage, Notice or Reclaimer of Abandoned Vehicles.

- (a) **Applicability.** The provisions of this Section shall apply to the removal, storage, notice, reclaimer or disposal of abandoned vehicles as defined in Section 23-6-1.
- (b) **Removal.**
 - (1) Any Deputy Sheriff who discovers any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in Columbia County which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment, approved by the Sheriff or designee.
 - (2) Upon removal of the vehicle, the Sheriff Deputy shall notify the Sheriff or his designee of the abandonment and of the location of the impounded vehicle.
- (c) **Storage and Reclaimer.** Any abandoned vehicle which is determined by the Sheriff or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Sheriff or his designee determines an abandoned vehicle to have a value of less than One Hundred Dollars (\$100.00), or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. All substantially complete vehicles in excess of nineteen (19) model years of age shall be deemed as having a value not in excess of One Hundred Dollars (\$100.00). Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Sheriff or his designee to provide an ownership or secured party interest in said vehicle.
- (d) **Notice to Owner and Secured Party.** A notice, as referred to herein, shall be sent by certified mail to the title owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, of the following:
 - (1) That the vehicle has been deemed abandoned and impounded by Columbia County;
 - (2) The "determined value" of the abandoned vehicle;
 - (3) If the cost of towing and storage costs will exceed the determined value of the vehicle;
 - (4) That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred Dollars (\$100.00) or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon the payment of the aforesaid charges; and
 - (5) That the owner or aforesaid secured party may, upon request, be granted a hearing

relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

Sec. 23-6-4 Disposal of Abandoned Vehicles.

Any abandoned vehicle impounded by the County which has not been reclaimed or junked or sold by direct sale to a licensed salvage dealer pursuant to the provisions of this Chapter may be sold by public auction sale or public sale calling for the receipt of sealed bids. A Class 1 Notice, including the description of the vehicles, the name(s) and address(es) of the Wisconsin titled owner and secured party of record, if known, and the time of sale shall be published before the sale.

Sec. 23-6-5 Report of Sale or Disposal.

Within five (5) days after the direct sale or disposal of a vehicle as provided for herein, the Sheriff or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have ten (10) days to remove the vehicle from the storage area but shall pay a reasonable storage fee established by the County for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten (10) days after the sale the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the County shall be made available to any interested person or organization which makes a written request for such list to the Sheriff's Department. The Sheriff's Department may charge a reasonable fee for the list.

Sec. 23-6-6 Owner Responsible for Impoundment and Disposal Costs.

- (a) The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the County against the owner.
- (b) Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

CHAPTER 7

Injured Animals

23-7-1 Injured Animals

Sec. 23-7-1 Injured Animals.

No person who owns, harbors, or keeps any animal shall fail to provide proper medical attention when and if such animal becomes sick or injured. If the owner of such animal cannot be located, the Columbia County Sheriff or his deputies shall have the authority to take custody of such animal for the purpose of obtaining medical treatment and the owner thereof shall reimburse the person or organization providing care for the costs of treatment and care.

Any person violating this section shall also be subject to the penalty listed in the Penalty Section at Title1, Chapter 2.

Chapter 8

Vicious Animals

23-8-1 Vicious Animals

Sec. 23-8-1 Vicious Animals.

The owner of any vicious animal shall keep it securely enclosed on the owner's premises and shall keep it muzzled when exercising it. Where there is evidence such animal intimidates persons from the use of some or all of their public property, the Sheriff or his deputies may order the animal muzzled, leashed or restrained.

Any person violating this section shall be subject to the penalty listed in the Penalty Section at Title 1, Chapter 2.

Chapter 9

Dangerous Animals

23-9-1 Dangerous Animals

Sec. 23-9-1 Dangerous Animals.

23-9-1 DEFINITIONS: Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance a reasonable application which protects human health and humane treatment of animals.

- (a) Animal means any member of the animal kingdom except human beings.
- (b) Animal Control Agency means the Columbia County Sheriff's Department and any other public or private agency delegated authority by the Columbia County Sheriff to enforce portions of this ordinance; or any public or private agency designated by the state, county supervisors or a municipality as their animal control agent.
- (c) Animal Control Officer means a designated contractor or officer of the Animal Control Agency.
- (d) Sheriff means the Columbia County Sheriff.
- (e) Sheriff's Department means the Columbia County Sheriff's Department.
- (f) Board of Supervisors means the Columbia County Board of Supervisors.
- (g) Dangerous Animal includes, but not limited to, all animals which are classified in the following animal families, which are subject to amendment by the Board of Supervisors:
 - (1) Canidae; e.g. wolves, coyotes, foxes, jackals, within the order Carnivora but excluding *Canis familiaris*, the domestic dog.
 - (2) Felidae; e.g. lions, tigers, jaguars, leopards, cougars, lynx, ocelots, bobcats, within the order Carnivora but excluding *Felis domestica*, the domestic cat.
 - (3) Ursidae; e.g. black bears, brown bears, grizzly bears, polar bears, of the order Carnivora.
 - (4) Cercopithecidae; e.g. baboons.
 - (5) Pongidae; e.g. gibbons, orangutans, chimpanzees, gorillas.
 - (6) Hyaenidae; e.g. hyaenas.
- (h) Keeping means the act of confining, harboring, maintaining, owning, or sheltering an animal.
- (i) Owner means any person confining, harboring, keeping, maintaining or sheltering an animal.
- (j) Person means any agency, association, business, club, company, corporation, firm, individual, institution, organization, partnership, syndicate, trust, trustee or any federal, state or local governmental agency or instrumentality of other entity recognized by the law as the subject of rights and duties. The feminine, masculine, singular or plural is included in any circumstance.
- (k) Animals used in agriculture, as defined by the United States Department of Agriculture shall not be considered dangerous animals.

23-9-2 DANGEROUS ANIMALS PROHIBITED: No persons shall keep a dangerous animal in Columbia County except as allowed by subsection 23-9-3.

23-9-3 EXCEPTION TO PROHIBITION OF DANGEROUS ANIMALS: The prohibition contained in subsection 23-9-2 of this Ordinance shall not apply to the keeping of dangerous animals in Columbia County in secure containment under these circumstances:

- (a) Dangerous animals kept at state licensed veterinary hospitals, humane societies, licensed wildlife rehabilitators or animal control pounds for treatment or impoundment purposes.
- (b) Dangerous animals kept by federal, state, county and municipal authorities and their designees or veterinarians pursuant to the enforcement of this or any animal control ordinance.
- (c) Dangerous animals kept by governmental agencies, colleges or universities accredited by the North Central Association Commission on Accreditation and School Improvement, medical institutions or research laboratories for instructional or research purposes.
- (d) Dangerous animals kept in zoos owned and operated by a municipality.
- (e) Dangerous native animals kept in licensed game farms or for fur pelting businesses on properly zoned land.
- (f) Dangerous animals commercially exhibited for ten (10) days or less.
- (g) Animals being commercially transported through Columbia County.

23-9-4 SEIZURE, IMPOUNDMENT AND DISPOSITION OF DANGEROUS ANIMALS

- (a) The Animal Control Officer may seize and remove any dangerous animal that is not kept under circumstances authorized in subsection 23-9-3 of this Ordinance or which is not confined under United States Department of Agriculture standards. Any dangerous animals seized may be euthanized by the Animal Control Officer. The Owner or keeper of a seized dangerous animal may be assessed for any costs incurred for capturing, maintenance, or euthanizing the animal.
- (b) A dangerous animal that kills or causes serious injury to a human being shall be immediately surrendered to the Animal Control Officer for euthanasia.

23-9-5 DUTY TO SURRENDER A DANGEROUS ANIMAL/COST OF CONFINEMENT

- (a) An Owner of a dangerous animal which has been seized may request that the Columbia County Circuit Court review the seizure. If an Owner requests review of the seizure of a dangerous animal, the animal shall remain in the custody of the Animal Control Agency during the pendency of the proceedings and the cost of confinement shall be assessed against the Owner.
- (b) In an appeal from a seizure of a dangerous animal or an order to euthanize the animal, the decision of the Animal Control Officer shall prevail unless the Circuit Court finds that the decision was without a rational basis.
- (c) Confinement of an animal shall be at a facility approved by the Animal Control Agency.

23-9-6 UNCONTROLLED DANGEROUS ANIMALS PROHIBITED

- (a) No person may suffer or permit a dangerous animal to be at large in Columbia County.
- (b) Any uncontrolled dangerous animal may be apprehended and impounded by the Animal Control Officer. The Animal Control Officer shall have the right to enter upon private property when it is necessary to apprehend an uncontrolled dangerous animal. Such entrance upon private property shall be in reasonable pursuit of an animal and shall not include entry into a domicile unless it be at the invitation of the occupant. An animal control officer denied entry to a domicile may initiate procedures regarding issuance of a search warrant.
- (c) Any peace officer or Animal Control Officer may humanely destroy an uncontrolled dangerous animal if apprehension of the animal would pose a risk of injury to the officer.

23-9-7 DISPOSITION OF DISEASED AND INJURED UNCONTROLLED DANGEROUS ANIMALS

- (a) The Animal Control Officer may euthanize a diseased or injured uncontrolled dangerous animal. The animal shall first be examined by a licensed veterinarian and the veterinarian shall determine whether or not euthanization is required. A reasonable attempt to locate and notify the Owner of the animal will be made prior to euthanizing the animal.
- (b) If the disease or injury to the uncontrolled dangerous animal is of such severity that the animal could not humanely be treated, or the animal has a contagious or fatal disease as determined by the examining veterinarian, the animal may be euthanized immediately without an attempt to locate or notify the Owner. The Owner shall subsequently be notified, if possible.

23-9-8 LIABILITY

Nothing in this Ordinance absolves the keeper of an animal that inflicts injury to a person or property from financial responsibility for the animal's actions. Columbia County is not, by undertaking the enforcement of this Ordinance, creating any duty to third parties.

23-9-9 ENFORCEMENT

It shall be the duty of the Sheriff or his/her designee to enforce provisions of this Ordinance, and this duty may be delegated to his/her authorized representative. The Sheriff is authorized to enter into contracts with any person to enforce portions of this Ordinance.

23-9-10 PENALTIES

In addition to and without prejudice to the remedies contained herein, violation of the provisions of this Ordinance or failure to comply with any of its requirements shall be enforced in accordance with the Columbia County Code of Ordinances.