RESOLUTION #36-2009 1 **GENERAL CODE OF ONEIDA COUNTY, WISCONSIN** 2 **ORDINANCE AMENDMENT #** 3 4 5 Ordinance Amendment offered by Supervisors of the Law Enforcement and 6 **Judiciary Committee** 7 8 Whereas, the Oneida County Sheriff Department currently has two trained 9 Humane Officers, and 10 Whereas, the Humane Officers have specialized training for handling matters beyond the current scope of the Oneida County Ordinances, and 11 Whereas, the adoption of a new chapter to the Oneida County 12 13 Ordinances focused on Animal Control would allow for the Humane Officers to 14 take advantage of their specialized training, and 15 Whereas, the adoption of a new chapter of the Oneida County 16 Ordinances focused on Animal Control would also benefit the citizens of Oneida 17 County. 18 NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF 19 SUPERVISORS DOES ORDAIN AS FOLLOWS: Section 1. Any existing ordinances, codes, resolutions, or portions thereof 20 21 in conflict with this ordinance shall be and hereby are repealed as far as any 22 conflict exists. 23 Section 2. This ordinance shall take effect the day after passage and 24 publication as required by law. 25 Section 3. If any claims, provisions or portions of this ordinance are 26 adjudged unconstitutional or invalid by a court of competent jurisdiction, the 27 remainder of this ordinance shall not be affected thereby. 28 Section 4. Section 23.10-3 of the General Code of Oneida County, 29 Wisconsin, is amended as follows [additions noted by underline, deletions noted 30 by strikethrough]: 31 32 **23.10 RESTRAINT** 33 Declaration of a Vicious Animal: The Animal Control Officer of the County or 3. 34 town or any Law Enforcement Officer, after conducting an investigation into the 35 circumstances surrounding an unprovoked attack, is hereby empowered to declare 36 an owned animal in question vicious. The owner or caretaker of the animal shall 37 be served personally or by certified mail with return receipt requested, with an 38 order declaring the animal vicious. Any owner or caretaker aggrieved by said 39 order may petition the Oneida County Law Enforcement and Judiciary Committee 40 to request review of the order by filing a notice with the Oneida County Clerk 41 within 30 days from the date of service of the Order or within 30 days from the 42 date of mailing of the Order. Upon receipt of the petition, the Committee shall 43 schedule and conduct a hearing in conformance with Wisconsin Statutes, Chapter 44 227. After the hearing, the owner or caretaker shall be notified in writing of the 45 determination. If the owner or caretaker of the animal contests the determination, he/she may, (within 30 days) within 30 days of the date of mailing of the 46

47	determination of the Oneida County Law Enforcement and Judiciary Committee			
48	seek review of the decision by filing pursuant to Wisconsin Statutes Chapter 227			
49	with the circuit court.			
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54	Approved by the Law Enforcemer	nt and Judiciary C	ommittee on	this 6th, day of
55	May, 2009.			
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57	Vote Required: Majority = 2/3	3 Majority =	¾ Majority = _	
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59 60	he County Board has the legal authority to adopt: Yes he Corporation Counsel,		NU Date:	_ as reviewed by
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63	Offered and passage moved by:			
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80	Seconded by:			
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82	A			
83	Ayes			
84 85	Neve			
85 86	Nays			
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89	Abstain			
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92	Adopted			
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94	by the County Board of Supervisors this . day of .			

95 96	Defeated	
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100 101	Robert Bruso, Clerk	Andrew P. Smith, County Board Chair