



ORDINANCE, LICENSES AND PERMITS AGENDA

June 25, 2024 at 6:10 PM

303 Mansion Street Mauston, WI

1. **Call to Order/Roll Call**
2. **Discussion and action relating to Minutes**
 - a. June 11, 2024
3. **Discussion and action for Heinie's Temporary Amendment to Premises on July 6**
 - a. For a Customer Appreciation Day.

Premises to include a 10 X 20 tent in the back parking lot with a fence surrounding it.
 - b. Discussion on sample ordinances from other municipalities regarding their vicious animal ordinances.
4. **Adjourn**

NOTICE:

It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact City Deputy Clerk Nicole Lyddy (608) 747-2706.

Any member of the public wishing to join the meeting telephonically should call City Hall by 4pm the day of the meeting. Staff will be happy to provide instructions on joining the meeting by phone. City Hall main number: 608-847-6676



ORDINANCE, LICENSING AND PERMITS MINUTES

June 11, 2024 at 6:00 PM

303 Mansion Street Mauston, WI

1. **Call to Order/Roll Call-** The Ordinances, Licenses, and Permits Committee met in a regular session on Tuesday, June 11, 2024. Jim Allaby called the meeting to order at 6:00 pm. Members present were Courtney Ferguson, and Jim Allaby. Absent was Leanna Hagen. Also present were Mayor Darryl Teske, City Administrator Daron Haugh, and Deputy Clerk Nicole Lyddy.
2. **Minutes-** Motion made by Ferguson, Seconded by Allaby to approve minutes of May 28, 2024. Motion carried.
3. **Alcohol Renewals-**
 - a. **CLASS B - COMBINATION RETAIL FERMENTED MALT BEVERAGES AND INTOXICATING LIQUORS:**
 Badger Dogs and More, LLC., Kathryn Yudys – Agent, for the premises known as **Timmy's Time Out Bar & Grill located at 522 Gateway Ave.**; Adam Tovsen – Sole Proprietor dba **Harm-a-Rita's located at 1001 Gateway Ave**; RBJ Logistics, LLC., Timothy Brunner – Agent for the premises known as **The Lodge at Mauston located at 104 Lodge Lane**; Carl's Bright Spot, LLC., Heidi Noe – Agent for the premises known as **Carl's Bright Spot, located at 419 E. State St.**; Juneau County Moose Lodge 1913, LLC., Dawn Wriedt – Agent for the premises known as **Juneau County Moose Lodge located at 601 Colfax St.**; Heinie's Tavern, LLC, Chad Jones – Agent, for the premises known as **Heinie's Tavern, located at 607 N. Union St.**; HMV Motel Inc, Rave Patel – Agent for the premises known as **Emerald Lounge located at 1004 State Road 82 E**; Randall's Uptown Bar, LLC, Kyle Randall – Agent, for the premises known as **Randall's Uptown Bar, located at 130 E. State St.**; Galen White – Agent, for the premises known as **Burton-Koppang American Legion Post #81, located at 1055 E. State St.**; High Steaks LLC, Kevin Ruland agent for the premises know as **High Steaks, LLC, located at 112 E. State St.**; Gordo's Mexican Restaurant, LLC, Abraham Hernandez – Agent, for the premises known as **Gordo's Mexican Restaurant, located at 651 N. Union St.** Mauston, WI.

CLASS A - COMBINATION RETAIL FERMENTED MALT BEVERAGES AND INTOXICATING LIQUORS:
 Gas and Go, LLC, Navtej Singh - Agent, for the premises known as **Gas and Go LLC located at 304 E. State St**; J Rodebaugh, Inc., Jason D. Rodebaugh-Agent, for the premises known as **J & S Liquor Mart located at 519 Gateway Ave**; Skogens Foodliner, Inc., Kimberly Goodwin-

Agent, for the premises known as **Festival Foods located at 750 N. Union St;** Kwik Trip Inc.,
Katelyn Hach – Agent, for the premises known as **Kwik Trip #776 located at 22 N Union St.;**
Kwik Trip Inc., Melissa Gollmar – Agent, for the premises known as **Kwik Trip #775 located
at 611 Gateway Ave.;** Navis Enterprises Inc., Betty Zimmerman – Agent for the premises
known as **Carr Valley Cheese located at 1006 Gateway Ave;** Jamie Navis President for the
premises known as **Mauston Interstate BP, located at 1005 Gateway Ave.** Steven Lowery –
Agent for the premises known as **Family Dollar #23695 located at 522 Gateway Ave,**
Mauston, WI,

CLASS A- BEER- Jenette Platt-Agent, for the premises known as **Speedway #1051 located
at 531 Gateway Avenue,** Mauston, WI

CLASS B- BEER- Kong’s China Buffet, LLC, Zheng Caifeng – Agent, for the premises known
as **Kong’s China Buffet, located at 1003 Gateway Ave.**Mauston, WI.

Motion made by Ferguson, Seconded by Allaby to recommend to council approval of all
alcohol licenses as presented. Motion carried.

4. **Adjourn-** Motion made by Ferguson, Seconded by Allaby to adjourn. Motion carried. The meeting
adjourned at 6:02 pm.

Chair

Date

Sec. 8-2. Prohibited animals.

- (a) No person owning or in charge of any horse, mule, cattle, sheep, goat, swine, geese, chickens or other domestic livestock, poultry or fowl, or any wild, dangerous, vicious, poisonous or carnivorous animal, insect or reptile, shall keep such animals or permit such animals to run at large in any part of the city.
- (b) The prohibitions of subsection (a) of this section shall not apply: where husbandry is a permitted use in the zoning district; chickens kept in compliance with subsection (c) below; or where the creatures are in the care, custody or control of a veterinarian for treatment; agricultural fairs; 4-H club shows or events; a display for judging purposes; an itinerant or transient carnival, circus or other show; licensed pet shops; licensed nature preserve; or zoological gardens; provided:
 - (1) This location conforms to the provisions of chapter 114.
 - (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors and disease.
 - (3) Animals are maintained in quarters so constructed as to prevent escape.
 - (4) No person lives or resides within 100 feet of the quarters in which the animals are kept.
- (c) A maximum of six chickens may be kept at a single-family detached residence in any residential zoning district provided that all standards outlined below are met:
 - (1) Chicken coop is defined as a "minor accessory structure" as detailed in chapter 114, article IV, section 114-128(b).
 - (2) The owner of the chickens resides on the property where the chickens are kept.
 - (3) The owner of the chickens provides a copy of current valid registration with the Wisconsin DATCP Livestock Premises Registration Program.
 - (4) The owner of the chickens submits an application for an annual license and pays the annual fee as established by the council. At a minimum, the application must include the following:
 - a. *Site plan.* The applicant shall provide a site plan showing the location and dimensions of the proposed chicken coop and pen, and the distance of the coop and pen from all lot lines and principal structures located on adjacent lots.
 - b. *Inspection consent.* Application and issuance of a license under this section constitutes consent by the applicant to the city zoning administrator and/or his designee/s to enter upon the applicant's property to ascertain compliance with this section and with the terms of the license, [for as] long as the license is valid.
 - (5) No roosters may be kept.
 - (6) A chicken coop or other similar structure must provide safe and healthy living conditions for the chickens and direct access to a fenced chicken pen/run.
 - a. *Soundness of construction.* Be structurally sound, moisture-proof, kept in good repair, and constructed of material described in the application and approved by the zoning administrator.
 - b. *Security.* The structure shall have a roof and sides, be enclosed on all sides, and be of a design that is secure from predators. The pen/run shall be covered with screening, or similar material, to prevent escape of chickens and/or entry of predators.
 - c. *Ventilation.* The structure shall have adequate windows and vents to provide proper light and ventilation to maintain a healthy environment for the chickens.

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- d. *Sanitation.* The coop, pen and surrounding areas shall be clean and well maintained at all times. Manure and other waste shall be removed on a regular basis. While on-site, manure and waste shall be kept in a fully enclosed container with a secure lid. Odors from chickens, chicken manure, or other substances related to the keeping of chickens shall not be perceptible at the property boundaries.
 - e. *Restrictive covenants.* The city is not an enforcement authority for private restrictive covenants in place for certain subdivisions. It is the responsibility of the applicant to investigate and comply with any applicable land division restrictive covenants on accessory structures and/or the keeping of poultry within that subdivision.
- (7) A fenced chicken pen/run must provide a minimum of six square feet of ground space per chicken, and may be located no closer than ten feet to a property line and 25 feet to a residence occupied by anyone other than the chicken owner.
 - (8) Chickens shall not be permitted to run at large, or to cause any public nuisance. Chickens shall be secured within the coop during non-daylight hours.
 - (9) Enforcement and penalties. Chapter 1, article II, division 2 and chapter 24, article I, section 24 of this Code shall apply to violations of any of these provisions, including the revocation or non-renewal of the chicken license.

(Code 1991, § 12.41; Ord. No. 2020-2024, 3-24-2020)

City of New Lisbon, WI
Friday, June 21, 2024

Chapter 211. Animals

§ 211-9. Pit bulls and other dangerous animals.

- A. Keeping of animals prohibited. It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the City of New Lisbon:
- (1) Any warm-blooded, carnivorous or omnivorous, wild or exotic animal, including but not limited to nonhuman primates, raccoons, skunks, foxes and wild and exotic cats.
 - (2) Any animal having poisonous bites.
 - (3) Any pit bull dog, provided that pit bull dogs registered with the City on the day this section becomes effective may be kept within the City subject to the standards and requirements set forth in Subsection **B** of this section. "Pit bull dog" as that term is used in this section is defined to mean:
 - (a) The Staffordshire bull terrier breed of dog.
 - (b) The American pit bull terrier breed of dog.
 - (c) The American Staffordshire terrier breed of dog.
 - (d) Any dog which has the appearance and characteristics of being predominantly of the breeds of Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, or a combination of any of these breeds.
- B. Keeping of registered pit bulls. The provisions of Subsection **A** are not applicable to owners, keepers or harborers of pit bull dogs registered with the City of New Lisbon. Keeping, owning or harboring of such dogs is however subject to the following conditions:
- (1) Leash and muzzle. No person shall permit a registered pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all pit bull dogs on a leash outside the animal's kennel or pen must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
 - (2) Confinement. All registered pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel except when leashed and muzzled as provided in Subsection **B(1)**. All pens or kennels shall comply with all zoning and building regulations of the City and shall be kept in a clean and sanitary condition.
 - (3) Confinement indoors. No pit bull dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.
 - (4) Signs. All owners, keepers or harborers of registered pit bull dogs within the City shall, within 10 days of the effective date of this section, display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign is required to be posted on the kennel or pen of such animal.

- (5) Insurance. All owners, keepers or harborers of registered pit bull dogs must, within 30 days after the effective date of this section, provide proof to the Police Department of public liability insurance in a single incident amount of \$50,000 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless 10 days' written notice is first given to the Police Department.
- (6) Registration. All owners, keepers or harborers of pit bull dogs shall, within 30 days after the effective date of this section, register said dog with the City by filing with the Police Department two color photographs of the dog clearly showing the color and approximate size of the dog.
- (7) Reporting requirements. All owners, keepers or harborers of registered pit bull dogs must, within 10 days of the incident, report the following information in writing to the Police Department:
- (a) The removal from the City or death of a registered pit bull.
 - (b) The birth of offspring of a registered pit bull dog.
 - (c) The new address of a registered pit bull dog should the dog be moved within the City of New Lisbon.
 - (d) If the registered pit bull dog is sold, the name and address of the new owner.
- (8) Animals born of registered dogs. All offspring born of pit bull dogs registered within the City must be removed from the City within six weeks after the birth of said animal.
- (9) Failure to comply. It shall be unlawful for the owner, keeper or harborer of a pit bull dog registered with the City to fail to comply with the requirements and conditions set forth in this section.

City of Elroy

(c) **Dangerous Animals.** It shall be unlawful for any person within the City of Elroy to own, harbor or keep any dog, cat or other domestic animal or fowl which:

1. Habitually pursues any vehicle upon any public street, alley or highway in the City.
2. Assaults or attacks any person or destroys property.
3. Repeatedly breaks from leash or enclosure and trespasses or defecates upon property other than that on which the animal is kept.
4. Kills, wounds, or worries any domestic animal.
5. Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
6. Is tied or confined in a manner as to prevent utility personnel from reading meters.
7. Is tied or confined in a manner as to allow the animal to interfere, threaten or menace the passing public or neighbors.

The owner of a classified Dangerous Animal shall immediately provide proof that they have corrected the violation. If action has not been taken to correct the violation, each day thereafter will be considered a subsequent violation and a fine imposed. In addition, upon the second violation, such animal must be removed from the City of Elroy until such time that the owner proves proof to the Police Department or animal control officer or City Council that they are in compliance with each of the following conditions and specifications.

1. Any dangerous dog shall be securely confined indoors or if kept outdoors, shall be kept in a securely enclosed and locked pen or structure adequate to confine the dog and located upon the premises of the owner of the dog. Any such pen or structure shall have secure sides and a secure top and if it has no bottom secured to the sides, the bottom is such that the dog cannot dig under the sides. Such pen or structure shall provide any such dog with adequate space and protection from the elements and shall be kept in a clean and sanitary condition.

2. The owner of a dangerous dog shall provide the police or Animal Control Officer or City Council with a color photograph of the dog taken within the last twelve months, suitable for use in identifying the dog.

3. The owner of any dangerous dog shall notify the police, Animal Control Officer or City Council within twenty-four (24) hours if such dog is loose or missing, if such dog has attacked or wounded a human being or another animal, or if such dog has been sold, leased, given away, died or if custody has been transferred to another person for more than forty-eight (48) hours. If such dog has been sold, leased, given away, or custody has been so transferred, the owner shall provide the police, Animal Control Officer or the City Council with the name, address and telephone number of the new owner, lessee, or custodian who shall be required to comply with the conditions of this section if the dog is kept within the city. If the owner of a dangerous dog moves

such a dog to a different address such owner shall notify the proper authorities of the new address within twenty-four hours.

4. The police, Animal Control Officer or City Council shall be permitted the right to inspect the enclosure in which any dangerous dog is kept at any time.

5. **Leash and Muzzle.** No person shall permit a dangerous dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit such dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition all dangerous dogs on a leash outside the animal's kennel or pen must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

6. All conditions and specifications herein referring to a "dangerous dog" will apply to all dangerous animals or fowl as deemed appropriate by the Common Council.

(d) **Vicious Dogs and Animals.** It shall be unlawful to own, keep, harbor, act as custodian or permit to remain on or about any premises with the City of Elroy any vicious dog or animal as defined in this section.

For purposes of enforcing this section, a dog shall be deemed as being of a vicious disposition if, it bites a person in unprovoked circumstances on or off the owner's premises, inflicts serious wounds to a person including multiple bites or serious disfigurement, serious impairment of health or serious impairment of any bodily function, or kills a person.

Licensing and Regulation- City of Hillsboro

Pit Bulls and Other Dangerous Animals.

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(d) Under no circumstances can the owner sell, give away, or destroy the animal until it has been released by a licensed veterinarian after the ten (10) day confinement (quarantine) period.

Section 7.1.9 Pit Bulls and Other Dangerous Animals.

(a) Keeping of Animals Prohibited. It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the City of Hillsboro:

(1) Any warm-blooded, carnivorous or omnivorous, wild or exotic animal including but not limited to non-human primates, raccoons, skunks, foxes and wild and exotic cats.

(2) Any animal having poisonous bites.

(3) Any pit bull dog provided that pit bull dogs registered with the City on the day this Section becomes effective may be kept within the City subject to the standards and requirements set forth in Subsection (b) of this Section. "Pit bull dog" as that term is used in this Section is defined to mean:

- a. The Staffordshire bull terrier breed of dog;
- b. The American pit bull terrier breed of dog;
- c. The American Staffordshire terrier breed of dog;
- d. Any dog which has the appearance and characteristics of being predominantly of the breeds of Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, or a combination of any of these breeds.

(b) Keeping of Registered Pit Bulls. The provisions of Subsection (a) are not applicable to owners, keepers or harbors of pit bull dogs registered with the City of Hillsboro keeping, owning or harboring of such dogs is however subject to the following conditions:

(1) Leash and Muzzle. No person shall permit a registered pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four

(4) feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all pit bull dogs on a leash outside the animal's kennel or pen must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

(2) Confinement. All registered pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel except when leashed and muzzled as provided in Subsection (b)(1). All pens or kennels shall comply with all zoning and building regulations of the City and shall be kept in a clean and sanitary condition.

(3) Confinement Indoors. No pit bull dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.

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(4) Registration. All owners, keepers or harborers of pit bull dogs shall within thirty (30) days after the effective date of this Section register said dog with the City by filing with the City Clerk two (2) color photographs of the dog clearly showing the color and approximate size of the dog. A fee for registration shall be set by resolution of the City Council and amended from time to time.

(5) Failure to Comply. It shall be unlawful for the owner, keeper or harborer of a pit bull dog registered with the City to fail to comply with the requirements and conditions set forth in this Section.

§ 210-18. Restrictions on number and kinds of animals per residence or apartment.

- A. No residence or apartment in the City limits (exempt commercial establishments specifically licensed in this chapter) shall house or keep more than a total of four cats and/or dogs.
- B. No residence or apartment in the City limits (exempt commercial establishments specifically licensed in this chapter) shall house or keep more than two of any other domestic or wild animals more than four months of age, except in areas zoned as agricultural.
- C. At no time shall any residence or apartment house keep any domesticated skunks, raccoons, bats, foxes or wolf hybrid.

City of Sparta

Sec. 12-278. Exotic animals.

No exotic animals shall be housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits except temporarily during special events or as otherwise specifically approved by the city council. Animals prohibited by this section include any animal that in wild state is carnivorous or that, because of its nature or physical makeup, is capable of inflicting harm on human beings or property, including, but not limited to, animals that belong to the cat family, snakes (either poisonous or that otherwise present a risk of physical harm to human beings as a result of their nature or physical makeup, including constrictors), bears, wolves, wolverines, badgers, lions, tigers and any hybrids of the same.

(Prior Code, § 12.14(2); Ord. No. 921, § 1, 6-15-2016)

City of Tomah

Sec. 8-61. Housing of farm and exotic animals prohibited.

- (a) *Prohibited.* No farm or exotic animals shall be housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits except temporarily during special events or as otherwise specifically approved by the city council. The raising of livestock is permitted in the A-1 agricultural district.
- (b) *Applicability.* The animals prohibited by this section include, but are not limited to, horses, ponies, mules, cows, sheep, goats, llamas, pigs (including potbellied pigs), chickens and roosters, geese, ducks, peacocks, ostriches, and any other farm or exotic animals. The animals prohibited by this section also include any animal, other than domestic dogs and cats, that in wild state are carnivorous or that, because of their nature or physical makeup, are capable of inflicting physical harm on human beings or property, including, but not limited to, animals that belong to the cat family, snakes (either poisonous or that otherwise present a risk of physical harm to human beings as a result of their nature or physical makeup, including constrictors), bears, wolves, wolverines, badgers, lions, tigers and any hybrids of the same.
- (c) *Exception.* This section shall not apply to animals that are housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits as of the date of the adoption of the ordinance from which this section is derived by the city council; provided, however, that the exception granted herein shall terminate immediately upon the occurrence of any of the following:
 - (1) Transfer of ownership of the real property, by sale or otherwise, of the property upon which the animal is housed;
 - (2) Transfer of ownership of the animal that is subject to this exception, whether by sale or otherwise;
 - (3) Death of the animals existing on the date of the adoption of the ordinance from which this section is derived and subject to this exception; and
 - (4) Acquisition by the owner of an animal subject to this exception of one or more additional prohibited animals.

The application of this exception to a specific property due to preexisting use shall not be construed so as to authorize the acquisition of additional prohibited animals but shall permit continued use only until the property or animal is sold or the animal dies. Violation of this section shall result in immediate termination of the exception.

(Code 1993, § 11.04(3)(a); Ord. No. 2022-10-17-D , § 2, 10-18-2022)