

NEW RULES:
Regulating Dangerous Animals in Dane County

If a neighbor's dog were to act dangerously or attack your pet, you might assume that there would be laws you could rely on to protect your family from such a threat. In the City of Madison, and a few other municipalities in Dane County there are detailed ordinances in place to protect the health and safety of citizens when threatened by such a dangerous animal. But up until this past February, if you lived in an unincorporated area of Dane County, some of those protections were simply not covered. There was nothing in the law that would cover you should another animal attack your pet.

This gap became increasingly apparent when the Dane County Division of Health and the Madison Department of Public Health merged at the beginning of 2008 forming Public Health Madison & Dane County (PHMDC). Animal Services is an integral part of the merged department's operation. The merger presented a new set of challenges to Animal Services, including the gap in its ability to manage dangerous animal cases in the county. The new amendments to an existing county ordinance help fill this gap.

Following are some highlights of the amendments (Chapter 47. Dane County Code of Ordinances):

- It applies to the unincorporated areas of Dane County
- It gives PHMDC the power to impound an animal when there are reasonable grounds to determine that it is dangerous.
- Dangerousness is determined by such behavior as
 - o the animal attacking, biting or injuring another domesticated animal or human being.
 - o The animal has chased, confronted or approached a person in a menacing fashion
 - o The animal has been trained for fighting or attack

For example, if your neighbor's dog comes into your yard and bites you or your child and the dog has demonstrated a preexisting pattern of this kind of behavior, a PHMDC Animal Services Officer may start an investigation process which would first involve a letter to the owner stating the reported facts of the incident and letting the owner know that an investigation will determine if the dog is indeed dangerous.

The officer will then go door to door in the area where the dog resides to ask whether a dog of such a description has been creating problems, whether while being walked or running loose. The officer will then meet with the owner to get their side of the story and find out how the owner plans to address the problem. The officer will then actually meet the dog and give it a series of behavioral tests. If the dog is judged to be dangerous, there are three possible outcomes:

- a. provide the owner with specific restrictions regarding controlling the dog (this happens in over 90% of the cases),
- b. order the animal out of the area (this is an option that is almost never exercised) and
- c. order the animal euthanized.

The owner has the right to appeal any of these determinations within thirty days. These appeals are heard by a panel of members of the Board of Health and the decision of the panel is binding, unless

the owner wants to bring the case to court. According to lead Animal Services worker Patrick Comfert, “the court option is almost never taken, but almost all of the appeals are in response to euthanasia orders.” Comfert reports that compliance with restriction orders is at about 80%. People who fail to comply with the restrictions can have their animal impounded.

In response to the question of whether these rules are exclusively for dogs, Comfert responded “in reality, dogs make up most of these cases, although we’ve had a few cats and even a couple of badly behaving monkeys.” “The bottom line”, he added, “is that we have come much closer to a consistent level of regulations with this amendment, and that closes a big gap in our ability to protect the health and safety of the people of Dane County.”

To report animal-related problems, call the Animal Services Office at (608) 267-1989 or the Animal Services Officer Dispatch at (608) 255-2345.

For more information on Animal Services see our website at:
<http://www.publichealthmdc.com/environmental/animal/>