

Town of Florence Ordinance No. 04-11-11
PET/ANIMAL WASTE

SECTION I. PURPOSE:

An ordinance to establish requirements for the proper disposal of pet solid waste in the Town of Florence, Florence County, Wisconsin so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. DEFINITIONS:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION III. REQUIREMENT FOR DISPOSAL:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION IV. EXEMPTIONS:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

SECTION V. ENFORCEMENT:

Any person, including town officers and employees, may report a violation of this ordinance to the Town Office. Appropriate documentation will be required with the

report in order to proceed with sending a citation. Appropriate documentation is considered to be a photograph with indication of the date it was taken.

Upon receiving the appropriate documentation in the clerk's office, the clerk shall send a citation to the dog owner following the Town of Florence Citation Procedure (Wisconsin Statute 66.0113)—including copies of the documentation.

SECTION VI. VIOLATIONS AND PENALTY:

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$25.00 nor more than \$100.00 for the first offense and not less than \$50.00 nor more than \$200.00 for the second offense, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

Any penalties that are assessed and not paid will be added, as a special charge to the tax bill (when applicable) for the following year.

SECTION VII. SEVERABILITY CLAUSE:


If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION VIII. EFFECTIVE DATE:


This ordinance is effective up on publication.

The town clerk shall properly publish this ordinance as required under s.60.80, Wis. Stats.

ADOPTED this 11 day of April, 2011.



Tim Bomberg



Dennis Christian



John Holbrook

Attest to:



Shelly Tripp, Clerk/Treasurer