

NOTICE

A meeting of the City of Evansville Park and Recreation Board will be held on the date and time stated below. Notice is further given that members of the City Council and Historic Preservation Commission may be in attendance. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall at (608)-882-2266 with as much notice as possible.

City of Evansville **Park and Recreation Board**
Regular Meeting
City Hall, 31 S Madison St., Evansville, WI 53536
Tuesday, March 21, 2023, 6:00 pm

AGENDA

1. Call to Order
2. Roll Call
3. Motion to Approve Agenda
4. Motion to waive the reading of the minutes from the January 17, 2023 meeting and approve them as printed.
5. Civility Reminder
6. Citizen appearances other than agenda items listed
7. New Business
 - A. Discussion and Motion to Recommend to Common Council Ordinance 2023-03 Amending Chapter 14 Animals
 - B. Discussion and Possible Action to Change Aquatic Center Fees
8. Park's Report
9. Aquatic Center Report
10. Old Business
 - A. Aquatic Center, Splashpad, and Park Improvement Updates
11. Upcoming Meetings
 - A. Tuesday, April 25, 2023 at 6:00pm
12. Motion to Adjourn

-Aldersperson Gene Lewis, Park & Recreation Board Chair

City of Evansville
Park & Recreation Board Regular Meeting
Tuesday, January 17th, 2023 at 6:00 p.m.

4

Park board will be held in person at City Hall located at 31 S Madison St on the third floor.

Copies of the packet and/or agenda are available at
http://www.ci.evansville.wi.gov/city_government/public_agendas_minutes/park_board.php

AGENDA

1. Call to order

Made by Chairperson Lewis at 6:05 pm

2. Roll call

Lewis, Pooch, Espinosa, Fuson and Merritt, Prudhon was absent. Also in attendance was Marissa Miller, Chad Renly, Ray Anderson, Arlene Larson, Dean Ballmer and Kris Evans.

3. Motion to approve the agenda

Fuson/Espinosa 5-0

4. Motion to waive the reading of the December 20th, 2022 minutes and approve them as printed.

Espinosa/Fuson 5-0

5. Citizen appearances other than agenda items listed

- None

6. New business

- **Leash Ordinance – Discussion and possible motion to recommend to Common Council.**

Chairperson Lewis started the conversation by saying that the Safety Committee has been reviewing this and has been brought to Park Board to discuss the parks aspect of this before it goes back to the Safety Committee. Lewis opened the floor to residents in attendance for comments.

Arlene Larson was in attendance and provided the Committee with a letter addressing the new leash law and stated that she was in favor of the current leash law and not the proposed one. She did not see reason to change it from its current standing. Arlene stated that they live at 126 N 2nd St and in their experience, residents have done an excellent job of maintaining control over their dogs. She said that it gives her dog a chance to socialize and exercise in a manner that is not doable on a leash. They have an off-leash dog walk at Lake Leota Park every Saturday morning and work very hard that the group and their dogs do not disturb other people using the park.

Norman Barker spoke next and stated that he had a husky that needed a lot of exercise. He said that the dog park in town is too small for his dog to get sufficient space to run. He also stated that he believes most instances from dogs being off leash are on private property and not in parks. He has his dog very well trained and always comes back when called.

Dean Balmer was next to speak and lives at 245 W Liberty St. He stated that he really enjoys taking walks with his dog off leash and his dog listens well but at times dogs will be dogs. He typically waits to he gets to a park area that has very few people around before he lets his dog off leash so they do not disturb others around.

Lewis stated that the police and the Safety Committee are looking at various options like allowing / posting certain areas of the park to be off leash areas. He also mentioned having time restrictions and only allowing dogs to be off leash at specific times or days. Lewis said that the current ordinance is very vague and doesn't adequately define control.

Espinosa said that he walks his dog 5-6 miles per day but is always walked on a leash and is not a fan of dogs being allowed to be off leash. There have been instances where issues have occurred, there is always an exception. Espinosa stated that it can be hard to manage when there are so many activities on going at Lake Leota Park. He is uncertain of what a good option is currently. He asked the question if something could potentially be done at West Side Park if there would be room there to place a larger area for dogs.

Dean Palmer stated that he heard from the Safety Committee Chairperson that not dogs would be allowed at the West Side Park.

Espinosa stated that there are a lot of good dogs and responsible owners but sometimes things happen and that's what we need to prevent.

Merritt asked if anyone had anything negative to say about dogs being off leash.

Renly said that Anderson spends more time at the park than anyone and asked what his experience had been over the years.

Anderson said that he knew all of the dog owners in attendance and they have all been great dogs. For the most part the dogs have been well behaved but he has seen it both ways. Even a dog that is very well trained if it decides to run it's going to run.

Poock said that he wishes the current dog park was larger but it's still new. He wished that there was something more for dogs there like training/obstacle/agility equipment. Something like that might make it more attractive for dog owners. Lewis agreed and said that wouldn't be a bad idea.

Poock also said that he would like to see the current ordinance stay in place but maybe better define what being in control means.

Lewis said that this was all good information and discussion to have and he will be bringing it back to the Safety Committee for further discussion.

7. Park's report

- **General report**

Anderson said that he had nothing to report.

- **Lake Leota Dam repair – (place holder)**

Renly stated that the cofferdam is installed, the sluice gate has been closed and issues with the installation were minimal. Water is now coming over both spillways. Currently still working with the DNR on the plan set review and still hoping for a February bid.

- **Ice Rink – Update**

The weather hasn't been great for the ice rink with large fluctuations in the temperature. The rink is currently closed as the ice is very thin. The liner ended up with some damage too it. Kris Evans said that he has been updating the community on it condition. We have a few days coming up where the temperature is going to drop. The water department will be adding several more inches of water to the rink with hopes that we have some steady colder temperature in the future.

The new light that was installed at the rink has been working well as has the timer. It's set up to turn on automatically at dusk and then stay on for 4 hours which has been turning off at around 9pm.

8. Pool report

- **General Report**

Nothing to report currently

9. Old business

- **Park & pool design update**

Poock said that they are meeting with groups and people. Contributions are coming in and has been going well. They have been picking out color schemes recently. They will continue to meet with members of the community.

10. Other

- **Meeting reminder:**

Regular meeting on February 20th, 2023 at 6:00 p.m.

11. Motion to adjourn

Fuson / Espinosa 5-0 at 6:35pm

**CITY OF EVANSVILLE
ORDINANCE #2023-03**

AMENDING CHAPTERS 14 - ANIMALS

The Common Council of the City of Evansville, Rock County, Wisconsin, amend Evansville Municipal Code Chapter 14 as follows:

Chapter 14

ANIMALS¹

ARTICLE I. IN GENERAL

- | | |
|----------------------|---|
| Sec. 14-1.- | Definitions. |
| Sec. 14-2.- | Excessive Animal Hoarding, Sheltering and Ownership. |
| Sec. 14-3.- | Running at large. |
| Sec. 14-4.- | Animals not permitted on school grounds. |
| Sec. 14-5.- | Unattended animals in standing or parked vehicles – Authority to remove – Liability for Removal |
| Sec. 14-6.- | Confinement and observation of animals biting person. |
| Sec. 14-7.- | Declaration of vicious animal. |
| Sec. 14-8.- | Disturbing the peace prohibited. |
| Sec. 14-9.- | Animals as gifts. |
| Sec. 14-10.- | Carcasses |
| Secs. 14-11--14-30.- | Reserved. |

ARTICLE II. DOGS AND CATS

- | | |
|------------------------|---|
| Sec. 14-31.- | License. |
| Sec. 14-32.- | Applicability of state law. |
| Sec. 14-33.- | Harboring certain dogs prohibited. |
| Sec. 14-34.- | Reserved. |
| Sec. 14-35.- | Removal of waste deposited on public or private property. |
| Secs. 14-36 - -14-39.- | Reserved. |

ARTICLE III. EXOTIC ANIMALS

- | | |
|----------------|---|
| Sec. 14- 40. - | Licensing requirements. |
| Sec. 14- 41. - | Providing registration information to relevant personnel. |
| Sec. 14- 42. | Prohibited animals. |
| Sec. 14- 43. | Prohibited animals enumerated. |

¹ **Cross references:** Environment, ch. 46; health and sanitation, ch. 58; agricultural district one (A-1), § 130-701 et seq.; agricultural district two (A-2), § 130-721 et seq.; agricultural district three (A-3), § 130-741 et seq.

Sec. 14- 44. - Owner to report escape of Exotic Animals.
Secs. 14-45 - -14-49.- Reserved.

ARTICLE IV. CRUELTY TO ANIMALS AND RELATED OFFENSES

Sec. 14-50.- Cruelty to animals generally.
Sec. 14-51.- Reserved
Sec. 14-52.- Humane care of animals.
Sec. 14-53.- Poisoning of Pets.
Sec. 14-54.- Instigating or allowing fights between animals.
Sec. 14-55.- Injured or ill animals.
Secs. 14-56 - -14-59.- Reserved.

ARTICLE V. COMMERCIAL ANIMAL ESTABLISHMENTS.

Sec. 14-60.- Permit Required.
Sec. 14-61.- Operation of Commercial Animal Establishments.

ARTICLE VI. ENFORCEMENT

Sec. 14-62.- Penalties for violations of Chapter 14.

ARTICLE I. IN GENERAL

Sec. 14-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Animal means any multicellular organism under the scientific kingdom classification of Animalia.

Animal control officer means any person appointed by the City to act as animal control officer of the City or any police officer.

Commercial Animal Establishment means an establishment that:

~~(1)~~ Bathes, clips, plucks, or otherwise grooms animals, not their own;

~~(1)~~

~~(2)~~ Breeds, boards, or buys;

~~(2)~~

~~(3)~~ Sells or donates more than 10 animals per calendar year;

~~(3)~~

~~(4)~~ Trains, or sports animals; or

~~(4)~~

~~a.~~ ~~(5)~~ Displays or exhibits animal

~~2.~~ Cat: a small domesticated carnivore, Felis domestica or F. catus, bred in a number of varieties.

~~3.~~ Dog: a domesticated canid, Canis familiaris, bred in many varieties.

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Domestic Pet means an animal that has been traditionally tamed and kept by humans as a service animal, or pet such as birds (i.e. caged birds such as parakeets, finches, macaws, and typically caged birds); small caged animals like hamsters, ferrets, sugar gliders, chinchillas, pet rats and gerbils: fish, including Dogs or Cats.

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Exotic Animal Means any animal which is kept within the city limits by a person, and does not meet the definition provided under Domestic Pet.

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Feral existing in a natural state, not domesticated, or having reverted to the wild state, as from domestication; or characteristic of wild animals; ferocious; brutal.

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Owner means any person owning, keeping, harboring, temporarily taking care of, or having under their control one or more Pet.

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Pet means all animals which are kept or cared for within the city limits by a person and including Exotic Animals, Domestic Pets, Dogs or Cats.

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Pet Boarding Facility means the cages maintained by the Evansville Police Department, the Rock County Humane Society, or any private entity that conducts business as a kennel and contracts with the Evansville Police Department for boarding Pets.

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Running at Large means that an animal ~~is off the owner's premises, or on a public right of way on the owner's premises, and is not under the control of the owner or some other person.~~ found off the premises of its owner or keeper and not under control and restrained by leash, cord or chain and not within a vehicle. A leash, cord or chain shall not exceed 6 feet in length. Pets in designated exercise areas are not considered running at large if their activities comply with rules posted for the exercise area. All chains, ropes and leashes on the owner's property shall be so placed or attached so that they cannot become entangled with another animal or object, and shall be of sufficient length and in proportion to the size of the animal to allow the animal proper exercise and convenient access to food, water and shelter. Such chain, rope or leash shall be located so as to prohibit such animal from trespassing on public property or private property belonging to others and from causing harm or danger to persons or other animals.

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Service Animal means an animal specially trained to lead blind, deaf person or to provide support for mobility-impaired persons.

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Unkempt means that the animal appears to be neglected, or is in poor health due to lack of food, dehydration, or untreated injuries.

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~~4.~~ Vicious means that the Pet has been declared vicious pursuant to section 14-7.

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(Ord. 2020-05, Ord 2021-04, Ord. 2023-03)

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Sec. 14-2. Excessive Animal Hoarding, Sheltering and Ownership.

(a) No property owner shall make or allow such use of property or harbor animals in a manner that creates one of the following violations:

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~~(3)~~(1) Neglect of the Animals – The number of animals located at the property causing violations of 14-50 and/or 14-52 can be enforced under this provision.

~~(4)~~(2) Unsanitary Conditions for Humans –The location and/or number of animals cause or reasonably may cause health consequences to an individual or community such as, but not limited to, infectious bites or scratches to neighborhood children, Toxoplasmosis, asthma triggering caused by excessive urine, Leptospirosis, hookworms, Psittacosis, Lymphocytic Choriomeningitis Virus, Brucellosis, Scabies, Cryptosporidiosis, tape worms, insect infestation and rabies.

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~~(5)~~(3) Unsanitary Conditions for Animals – The number of animals in relation to the space available and/or care provided could cause the spread of distemper, ring worm, flea anemia, Toxoplasmosis, asthma triggering caused by excessive urine, Leptospirosis, hookworms, Psittacosis, Lymphocytic Choriomeningitis Virus, Brucellosis, Scabies, Cryptosporidiosis, tape worms, insect infestation, rabies and other unsanitary conditions.

~~(4)~~ Harboring or Attracting Feral and Stray Animals –The property owner’s actions or allowance of such actions on their property creates a harbor for feral and/or stray animals by the creation of feeding stations, leaving the premises open for animals to freely leave and return or not properly containing their refuse.

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~~(4)~~

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~~(6)~~(5) Shelters –Evansville ordinances allow animal shelters to be permitted under proper licensing and zoning requirements. Shelters that are temporary, non-profit and commercial must be properly licensed, zoned, and maintained so that they do not violate any other section of the municipal code. This subsection excludes family/friends or volunteers of non-profit shelters watching an animal temporarily unless a separate violation of this Chapter occurs. If a separate violation occurs then this section may be enforced without exception.

~~(7)~~(6) Noise Disturbance – Violation of ordinance 14-8

~~(8)~~(7) Property Maintenance and Nuisance – Violations of any ordinances pertaining to the maintenance and care of properties caused by the number of animals or causes the attraction of animals that may result a public nuisance.

~~(b)~~ Any property owner creating or allowing such a violation shall be responsible for the humane disposal or placement of the animals to the extent the property is no longer in violation of local ordinances.

(b)

(Ord. 2020-05, Ord 2021-04, Ord 2023)

Sec. 14-3. Running at large.

(a) No person having in his-their possession or under his-their control any animal shall allow the animal to run at large within the city.

(b) *Impoundment authorized.* The police department or any other officer appointed by the City shall attempt to apprehend any animal running at large within the city or any dog or cat which does any of the things prohibited under section 14-31(3). The animal may be held at the police department or other location approved by the police department for a period of 1 day or such additional time as the chief of police may determine. If the police department is unable to identify the owner of the animal; or the owner of the animal fails to respond to the police department; or pay the fees and charges the animal may be transferred to a veterinary clinic or animal boarding facility for the duration of the holding period at the expense of the owner.

(c) *Fees and charges.* The owner shall be responsible for the expense of all fees and charges for apprehension, impoundment, transport, veterinary care, quarantine, observation, and examination of the animal and may be subject to a forfeiture as provided in section 1-11. Fees and charges shall be as established by the council from time to time by resolution.

(d) *Release to owner.* An animal may be returned to its owner upon proof that the owner has either resolved, or enrolled the animal in training to resolve, the reason the animal was impounded, completion of any required quarantine period, and payment of the fees and charges. If after seven (7) days from the date the animal was impounded or five (5) days after the expiration of the quarantined period, whichever is longer, the

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owner does not claim the animal and pay the fees and charges, ownership of the animal will be relinquished. The chief of police, instead of having the animal destroyed, may authorize the Rock County Humane Society or another non-profit organization to place the animal for adoption.

(Code 1986, § 11.04(1), Ord. 2012-22, Ord. 2015-01, Ord. 2016-18, [Ord. 2023-03](#))

Sec. 14-4. Animals not permitted on school grounds.

No owner shall permit their Pet to be upon any school property except upon express permission of the school principal or their designee, except when a dog is participating in an organized event or activity. This does not include animals that would otherwise be considered Service Animals.

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Sec. 14-5. Unattended animals in standing or parked vehicles – Authority to remove – Liability for Removal.

No person may leave a Pet unattended in a standing or parked vehicle in a manner that endanger the health or safety of such animal. If a Pet is found in a standing or parked vehicle, and the health and safety of the animal appears to be endangered, any animal control officer or police officer may use reasonable force to remove such animal. Removal of an unattended animal by an animal control officer or police officer shall not constitute an offense. Prior to the use of reasonable force the animal control officer or police officer shall attempt to contact the owner or operator of the vehicle.

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Sec. 14-6. Confinement and observation of Pets biting person.

(a) Any Pet known to have bitten any person shall be immediately seized by a police officer of the city and reported at once to the county health department for observation and attention. Such Pet shall be placed in an isolation facility for observation for ten days or such additional period as the officer may require under Wis. Stats. § 95.21, at the expense of the owner.

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(b) If the Pet has not been seized, the owner shall, on demand of the person bitten, a police officer or the county health department, immediately deliver such Pet to an isolation facility to be held for ten days for observation at the expense of the owner.

(c) The individual or entity that takes responsibility for completing the quarantine of a Pet shall report at the end of such observation without delay to the county health department by telephone and confirmed in writing all reports required by law under Wis. Ch 95 regarding the quarantine.

(d) Any person who refuses or fails to deliver such Pet as required shall be subject to a forfeiture as provided in section 1-11.

(e) If after five days or such additional time as the chief of police in ~~his~~their discretion may deem advisable following such ten-day observation period, the owner does not claim such animal and pay the cost of keeping such animal, such officer shall dispose of the animal in a proper and humane manner. The chief of police, instead of destroying such animal, may authorize the Rock County Humane Society or another non-profit organization to place the Pet for adoption.

~~(f)~~ If the Pet is a dog or cat and the person has proof of current rabies vaccination, the isolation may be conducted within the owner's home in compliance with Wisconsin statutes.

(f)

(Code 1986, § 11.04(4), (5), Ord. 2012-22, 2015-01, Ord. 2023-03)

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Sec. 14-7. Declaration of vicious animal.

The owner of a vicious animal must remove the animal from City limits or have the animal humanely disposed. An animal may be declared to be a vicious animal by at least two persons employed as a police officer, animal control officer, veterinarian, or the attending physician of a victim of an animal bite or scratch. In making such a declaration the individuals shall consider an animal to be vicious if:

~~(1)~~(1) An animal which, in a vicious or aggressive manner, approaches in an apparent attitude of attack, or bites, inflicts injury, assaults or otherwise attacks a person or other animal upon the streets, sidewalks or any public grounds, parks or places; or

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~~(2)~~(2) An animal, while on private property, approaches in an apparent attitude of attack, or bites, inflicts injury, assaults or otherwise attacks a postal worker, meter reader, service person, journeyman, delivery person, or another person or animal that are on the private property with the consent of the owner or occupant of the private property.

~~(3)~~(3) No animal may be declared vicious if the injury or damage is sustained to any person or animal who is committing a willful trespass or is not authorized to be upon the premises occupied by the owner of the animal, or who is teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime.

~~(4)~~(4) The following factors may also be considered in making a determination of viciousness:

a. The nature or severity of the attack or bite.

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b. Whether the animal has shown a propensity to display dangerously aggressive behavior and is able or likely to inflict injury to another animal or person.

c. Previous incidents of a similar nature.

~~☞~~ (Ord. 2023-03)

Sec. 14-8. Disturbing the peace prohibited.

No person may keep a Pet which habitually makes noise to the annoyance of any two or more other person.

(Ord 2021-04)

Sec. 14-9. Animals as prizes.

No Person or entity shall offer as a prize or give away any animal, except a small fish in a plastic bag with enough water for the fish to easily move around, in a contest, raffle or lottery, as an enticement to enter any place of business, or to exploit any animal for the purpose of fundraising.

Sec. 14-10. Carcasses

Carcasses of Pets shall be buried or otherwise disposed of in a sanitary manner within 24 hours after death.

Secs. 14-11--14-30. Reserved.

ARTICLE II. DOGS AND CATS

Sec. 14-31. License.

(a) *Required.* Every person residing in the city who owns a dog or cat which is more than five months of age on January 1 of any year or five months of age within the license year shall, on or before the date the dog or cat becomes five months of age, and annually thereafter, pay the dog or cat license fee and obtain a license therefore.

(b) *Fees.* Such owner shall pay to the ~~city-City clerk~~~~Clerk/treasurer~~ the amount as established by the council from time to time by resolution. The owner of any dog or cat who fails to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of a licensable dog or cat, or fails to obtain a license on or before the dog or cat reaches licensable age shall pay an additional late fee as established by the council from time to time by resolution and be subject to further penalties pursuant to section 14-62.

(c) *Issuance; tag.* Upon payment to the ~~city-City clerk~~~~Clerk-treasurer~~ of the required fee, the ~~clerk~~~~City Clerk-treasurer~~ shall issue to such person a license and tag bearing a

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serial number in the form prescribed by Wis. Stats. § 174.07, to keep such dog or cat for the license year. The owner shall upon procuring the license place upon the dog or cat a collar and shall securely attach and keep attached the tag furnished to ~~him-them~~ by the ~~city-City clerkClerk-treasurer~~ to the collar as required by Wis. Stats. § 174.07. No license shall be issued under this article for any dog or cat unless the applicant exhibits a certificate of a qualified veterinarian showing that the dog or cat is currently immunized against rabies. The owner shall attach the rabies vaccination tag to a collar, which shall be kept on the dog or cat at all times, but this requirement does not apply to a dog or cat during competition or training, to a dog while hunting, to a dog or cat securely confined indoors, to a dog or cat securely confined in a fenced area or to a dog while actively involved in herding or controlling livestock if the dog is under the control of its owner, as required by Wis. Stats. § 95.21(2)(f).

(d) Every Pet specially trained to lead blind or deaf persons, or to provide support for mobility-impaired persons is exempt from the license fee.

(Code 1986, § 12.03(7), Code 1986, § 12.03(1)--(3); Ord. No. 2000-8, § 1(12.03(2)), 4-11-2000, 2015-01, Ord 2021-04, [Ord. 2023-03](#))

Sec. 14-32. Applicability of state law.

The provisions of Wis. Stats. ch. 174 and Wis. Stats. § 95.21, except for imprisonment penalties imposed are hereby adopted and by reference made a part of this chapter as if fully set forth herein-. Any act required to be performed or prohibited by any statute incorporated in this section by reference is required or prohibited under this Code. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made part of this Code.

(Code 1986, § 12.03(4))

Sec. 14-33. Harboring certain dogs or cats prohibited.

No person shall possess, harbor or keep any animal which:

~~(3)~~(1) Habitually pursues any vehicles upon any public street, alley or highway.

~~(4)~~(2) Which has been declared vicious.

~~(5)~~(3) Is required to be licensed, but is not.

~~(6)~~(4) Does not have a valid license tag and current rabies vaccination tag attached to a collar which is kept on the dog or cat whenever the dog or cat is outdoors and not securely confined in a fenced area.

(Code 1986, § 12.03(6), Ord 2021-04, [Ord. 2023-03](#))

Sec. 14-34. Reserved.

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Sec. 14-35. Removal of waste deposited on public or private property.

(a) *Removal required.* Any person owning or having control of any animal on property, public or private, which property is not owned or occupied by such person, shall promptly remove excrement left by such animal and place it in a proper receptacle, bury it or flush it in a toilet on property owned or occupied by the person.

(b) *Possession of means of removal required.* Any person causing or permitting an animal to be on any property, public or private, which property is not owned or occupied by such person, shall have in ~~his~~their immediate possession a device or object suitable for removal of the excrement and a depository for the transmission of the excrement to property owned or occupied by the person.

(c) *Penalty.* Any person who fails to comply with any of the provisions of this section shall be issued a warning for the first offense and, upon conviction thereafter, shall be subject to punishment as provided in section 1-11.

Sec. 14-36. Designated Exercise Areas for Dogs

Areas of the City shall be set aside for proper socialization, exercise, and wellbeing of dogs. Such areas, per Sec 14-1, allow dogs to be without leashes and are defined as:

- (1) The fenced enclosure of the City designated Dog Park located at 535 S. Madison.
- (2) Leonard Leota Park on Saturdays from 7am to 9am.
- (3) Other special events, not longer than 8 hours, as designated by a Resolution of Common Council

(Code 1986, § 12.03(10), Ord. 2023-03)

Secs. 14-~~36-37~~ - - 14.39. Reserved

ARTICLE III. EXOTIC ANIMALS

Sec. 14- 40. Licensing requirements.

~~(a)~~ Any person who resides within the City limits and is the owner of an Exotic Animal which is within the City limits, shall license the Exotic Animal with the city clerk. Every person residing in the city who owns an Exotic Animal on January 1 of any year or within 30 days of acquiring ownership shall annually and thereafter obtain a license.

(a)

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(b) Such owner shall pay to the ~~city~~ City clerk/~~treasurer~~ the amount as established by the council from time to time by resolution. The owner of any Exotic Animal who fails to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of an Exotic Animal shall pay an additional late fee as established by the council from time to time by resolution and be subject to further penalties pursuant to section 14-62.

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(Ord. 2023-03)

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Sec. 14- 41. Providing registration information to relevant personnel.

The ~~city~~ City clerk shall provide copies of all Exotic Animal registrations to the police department and other emergency rescue personnel which may have reason to enter the premises where wild animals are present for purposes of rescue operations resulting from a natural disaster or personal emergency.

Sec. 14- 42. Prohibited animals

It shall be unlawful for any person to keep maintain or have in their possession or under their control within the City any poisonous reptile or other dangerous animal, hybrid animal, carnivorous wild animal or reptile, vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious, or dangerous propensities. Short term educational exhibits are exempt from this provision.

Sec. 14- 43. Prohibited animals enumerated.

± In addition to the prohibition in section 14 – 42, it shall be unlawful for any person to keep, maintain or have in their possession or under their control within the City any of the following animals:

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~~(3)~~(1) Any animal which has been declared to be protected or endangered by the U.S. Department of Interior;

~~(4)~~(2) All poisonous animals, including snakes; that upon touch or bite may cause hallucinations, alter cardiopulmonary functions, or even death.

~~(5)~~(3) Badgers;

~~(6)~~(4) Bears

~~(7)~~(5) Beavers

~~(8)~~(6) Canids (such as: wolves, foxes, coyotes, jackals, dingoes, or raccoon dogs);

~~(9)~~(7) Civet;

~~(10)~~(8) Constrictor snakes above six (6) feet in length

~~(11)~~ Crocodilian (such as: Alligators, crocodiles, or caimans);

~~(9)~~

~~(11)~~(10) Falconiformes (such as: eagles, hawks, owls, or falcons) except falcons and hawks in the possession of a state or federally licensed handler;

~~(12)~~(11) Edentata (such as: anteaters, tamanduas, sloths, or armadillos);

~~(13)~~(12) Emus

~~(14)~~(13) Felids (such as: lions, tigers, leopards, cheetahs, jaguars, pumas, lynx, ocelots, or bobcats);

~~(15)~~(14) Game cocks and other fighting birds;

~~(16)~~(15) Hyenas

~~(17)~~(16) Marsupials (such as: opossums, Tasmanian wolf, kangaroos, koalas, or wombats);

~~(18)~~(17) Muskrats

~~(19)~~(18) Ostriches

~~(20)~~(19) Porcupine

~~(21)~~(20) Primates (such as: apes, monkeys, baboons, chimpanzees, gibbons, gorillas, orangutans, siamangs.)

~~(22)~~(21) Procyonids (such as: raccoons, coatis, kinkajous, ring-tailed cats, or pandas)

~~(23)~~(22) Rheas;

~~(24)~~(23) Skunks;

~~(25)~~(24) Squirrels;

~~(26)~~(25) Sharks;

~~(27)~~(26) Ungulates (such as: elephants, zebra, tapirs, rhinoceroses, camel, llama, caribou, antelope, bison, reindeer, deer, giraffe, hippopotamus, wild boar, gazelle, or gnu);

~~(28)~~(27) Water buffalo;

~~(29)~~(28) Wart hogs;

~~(30)~~(29) Weasels;

~~(31)~~(30) Wolverines;

~~(32)~~(31) Woodchucks; or

~~(33)~~(32) Any other dangerous animal.

Sec. 14- 44. Owner to report escape of Exotic Animal.

The owner or keeper of any Exotic Animal that escapes from their custody or control shall within one hour after they discover or reasonably should have discovered the escape, report it to a law enforcement officer of the City and the County Sheriff where the escape occurred.

Secs. 14-45 - - 14-49. Reserved

ARTICLE IV. CRUELTY TO ANIMALS AND RELATED OFFENSES

Sec. 14-50. Cruelty to animals generally.

No Person shall beat, torture, or injure any animal, nor overload any working animal, nor shall any person abuse, mistreat or neglect any such animal.

Sec. 14.51. Reserved

Sec. 14-52. Humane care of animals.

All persons keeping, possessing and/or in control of an animal shall provide the animal with sufficient food and water, proper shelter, humane care and treatment and veterinary care when needed to prevent suffering. No person shall mistreat any animal nor shall any animal be abandoned. An owner may take an animal they no longer desire to care for to an Animal Shelter licensed by the State of Wisconsin.

Sec. 14-53. Poisoning of Pets.

It shall be unlawful for any person to administer or cause to be administered a substance which they knew or should have known was a poison of any sort whatsoever to any Pet, or to place any poison or poisoned food where the same is accessible to any Pet.

Sec. 14-54. Instigating or allowing fights between animals.

No person shall engage in or allow any fighting between animals of any kind upon their premises or premises in their possession or under their control in the City. No person shall keep any house, pit, or other place to be used in permitting fights between animals. No person shall instigate or encourage any animal to attack, bite, wound, or worry another animal for any bet, stake, reward or entertainment.

Sec. 14-55. Injured or ill animals.

Whenever an animal control officer encounters a stray animal suffering pain, the animal control officer may take the animal to a veterinarian where the cost of any care or treatment shall be borne by the owner of the animal. If ownership of the animal cannot be determined, the animal control officer shall impound the animal for five days unless it appears that a longer impoundment will lead to identification of the owner. If the owner cannot be located the animal may be disposed of by humane means without notice.

Secs. 14-56 - - 14-59. Reserved.

ARTICLE V. COMMERCIAL ANIMAL ESTABLISHMENTS.

Sec. 14-60. Permit Required.

No Person or entity shall operate a commercial animal establishment without first obtaining a permit. An application for a commercial animal establishment permit shall be made to the city clerk, and the applicant shall pay a fee prior to the city clerk issuing a commercial animal establishment permit. No permit shall be granted without an inspection of the premises to determine compliance with this Code and state law. The permit shall be issued for one year, commencing on January 1 of each year. Renewal applications for permits shall be made 30 days prior to and up to 30 days after the start of the calendar year. If there is a change of ownership of a commercial animal establishment, the new owner shall obtain a permit.

Sec. 14-61. Operation of Commercial Animal Establishments.

Every Commercial Animal Establishment:

- ~~(3)~~(1) Shall be maintained in a clean and sanitary condition and not to allow any refuse or waste material to accumulate.
- ~~(4)~~(2) Shall have impervious, smooth and cleanable floors.
- ~~(5)~~(3) Shall post its permit in a conspicuous place open to the public.

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~~(6)~~(4) Shall isolate and treat any animal in its possession which has any disease, injure, or abnormality and may not sell such animal without full disclosure to the buyer of the condition of the animal.

~~(7)~~(5) Shall furnish the buyer of any animal, except fish, with a written statement of sale showing the date of sale, approximate age of the animal, immunization and medication type and date administered, and the names of both the seller and buyer.

~~(8)~~(6) Shall take measures to limit the potential creation of a noise nuisance and take measures to mitigate the actual noise at the establishment or premise.

~~(9)~~(7) A violation of this chapter shall be cause for revocation of the Commercial Animal Establishment Permit.

(Ord. 2020-05, [Ord. 2023-03](#))

ARTICLE VI. ENFORCEMENT

Sec. 14-62. Penalties for violations of Chapter 14.

Any person who shall violate any section within this chapter is subject to the penalties set forth in section 1-11 of the City ordinances, in addition to any other remedies or sanctions stated with this Chapter

This Ordinance shall be in full force and effect upon passage and publication.

Passed and adopted this ____ day of _____, 2023.

Dianne C. Duggan, Mayor

Leah L. Hurtley, City Clerk

Introduced: [03/019/2023](#)
First Reading: [03/14/2023](#)
Adoption: [04/0011/2023](#)
Publication: [04/00/2023](#)

Notes Regarding Fee Increases for 2023 at Aquatic Center – Angie Olsen

(Fees will need to be adjusted again for 2024 and new facility)

Our prices are as follows,

Daily Rate - \$4 for afternoon, \$2 for pm I would leave this as is, until hours are determined for new facility – if we want to differentiate between R and NR, we could do \$5 and \$3 for NR.

Group Rate - \$2 per person for groups over 10 (this mainly applies to daycares and any camps that visit) I'm unsure about this one.

Individual Pass - \$40 R, \$60 NR \$50R, \$70 NR

Family Pass - \$120 R, \$160 NR

additional members added for \$10 each, no limit (we do have a handful of big blended families) \$150 R, \$175 NR – additional members \$10

Swimming Lessons - \$50 for first swimmer, \$45 for each additional - there is a \$15 charge for non residents (this is not per swimmer) \$50 R, \$60 NR - \$5 discount for each additional swimmer

Swim Team - \$60 per swimmer, \$15 fee for non residency \$60 R, \$70 NR

Pool Rental - \$80 per half hour....this could very easily (especially with the new facility) be \$200+ an hour. At the new facility we could offer more than just the space. We could provide pizzas, drinks, etc and charge substantially more. \$175 per hour, no half hour option

Lap Swim - \$1 (there has to be a guard on duty, and we usually see 1-3 people) \$2 and season passes are not honored

Aerobics - \$3 keep the same

Right now kids 4 and under are free (this should absolutely be changed to 3 and under (maybe even 2), and there are no discounts for Veterans (which has received much criticism given the name of the facility) or seniors. This should be changed to 3 and under and a discount for seniors might be considered.

WEEKLY PROJECT REPORT

Report # 13

Week Ending: 3/17/2022

West Side Park Project

155 S. 6th St.

Evansville, WI 53536



Work Completed Current Week:

- Finished installing rebar in lap pool floor
- Install bottom wall bars for walls @ lap pool
- Continued forming river section

PROJECT TEAM

Owner:

City of Evansville

Architect/Engineer:

MSA

Aquatics Design:

Water Technology Inc.

Athletic Field Specialists:

Rettler Corporation

General Contractor:

Corporate Contractors Inc (CCI)

Construction Start:

8/30/2022

Work Completed Next Week:

- Lap pool floor pour scheduled for Monday 2/20, pushed due to weather
- Continue forming walls and installing rebar in river section
- Continue installing wall rebar and start install of forms on lap pool walls
- Site staking to be completed for sidewalks on East half of site



City of
Evansville
www.ci.evansville.wi.gov/parkimprovements





Rebar fully installed in lap pool floor, looking from shallow end down to deep end



Rebar installed in lap pool floor, looking @ slope from shallow to deep end



Rebar fully installed in lap pool floor



Lap pool floor covered for the weekend and wall rebar install beginning



Lap pool floor covered for the weekend



Forming continuing on river section walls