



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final Board of Health

Wednesday, January 11, 2017

7:00 AM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

4. Public Hearings/Appearances

5. Action Items

[17-025](#) Appeal of Prohibited Dangerous Animal - Kinley

Attachments: [Declaration of Prohibited Dangerous Animal - Kinley.pdf](#)
[Request to Appeal - Kinley.pdf](#)
[Animal Ordinance.pdf](#)

6. Information Items

[16-1536](#) Resolution #R-11-16 - Chickens

Attachments: [Resolution #R-11-16 - Chickens.pdf](#)
[VERSION A - Original DRAFT Jan 2016.pdf](#)
[VERSION B - No Neighborhood Notification DRAFT Jan 2016.pdf](#)
[VERSION C - No Applicant Appeal DRAFT Jan 2016.pdf](#)
[Chicken Permit Application DRAFT.xlsx](#)

Legislative History

10/12/16	Board of Health	presented
11/9/16	Board of Health	presented
12/14/16	Board of Health	held

[16-1924](#) October Monthly Report 2016

Attachments: [Oct Monthly Report 2016.pdf](#)

Legislative History

12/14/16	Board of Health	held
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[17-023](#) November Monthly Report 2016

Attachments: [Nov Monthly Report 2016.pdf](#)

[16-1925](#) Weights & Measures and Environmental Survey 2016

Attachments: [2016 Environmental and Weights and Measures Survey.pdf](#)

Legislative History

12/14/16 Board of Health held

[17-026](#) Other Business

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.

12/22/2016

Jessica L. Owen
6725 Smoketree Pass
Appleton, WI 54913

RE: DECLARATION AND ORDER OF PROHIBITED DANGEROUS ANIMAL

Jessica L. Owen,

Please let this letter and the attached order serve as your notice that the City of Appleton's Humane Officer has formally declared your animal, KINLEY, F, N-, L+ 2016, R+, DECLARED DANGEROUS ON 09/15/16, ALL BLACK IN COLOR, as a **prohibited dangerous animal**, pursuant to the City of Appleton Municipal Code, Section 3-134.

I have declared your animal as a prohibited dangerous animal after conducting my investigation, which is summarized below:

- On 11/25/2016 Appleton Police Department personnel were alerted to the fact that Kinley was not in the control of anyone and becoming a public nuisance. A citation for not being in control of a dangerous animal was given. The rules of harboring a dangerous animal were once again explained to Jessica. (Ref. #16-046024).
- On 12/22/2016 Kinley, was involved in another animal at large, animal molestation, and failure to confine a dangerous animal. Kinley was off her property and charged at a neighbor who was on his property. (Ref. #16-048683).

Due to repeated instances in a short time of Kinley (KINLEY, F, N-, L+ 2016, R+, DECLARED DANGEROUS ON 09/15/16, ALL BLACK IN COLOR) not being under the control of an owner, it has been determined that the dog "Kinley" is a dangerous animal that should be prohibited within the City of Appleton.

IMMEDIATE ACTION IS REQUIRED:

Because Kinley has been declared as a prohibited dangerous animal, you must not bring the animal into or keep the animal within the City of Appleton. You must immediately comply with this order, pursuant to City of Appleton Municipal Ordinance 3-134. You may arrange for the animal to be held outside of the City, or the animal will be confined subject to Wis. Stat. 173.21. The pertinent section of the municipal code is attached to this document. This order is intended to protect against injurious results to human beings and domestic pets caused by unprovoked attacks by your animal.

APPEAL RIGHTS ARE TIME-SENSITIVE:

If you or any other owner or caretaker of the above-named animal wishes to contest the attached Order, **within 72 hours YOU MUST deliver to the Health Officer a written objection** to the order stating specific reasons for contesting the order. Failure to timely file an objection will result in your forfeiture of the right to appeal this Order.

The health officer Kurt Eggebrecht, M.Ed. with the City of Appleton Health Department can be reached at:

Kurt Eggebrecht, M.Ed.
100 North Appleton Street
Appleton, WI 54911

Phone: 920-832-6429

Fax: 920-832-5853

Email: kurt.eggebrecht@appleton.org

I have enclosed copies of the City of Appleton Municipal Ordinances pertaining to this matter. Please review and comply with City of Appleton Municipal Code Section sections 3-1, 3-2, 3-131, 3-132, 3-133, and 3-134.

If you have any further question, please contact the City of Appleton Health Department.

Sincerely,

Matt Fillebrown
Lead CSO #9563 / Humane Officer
Appleton Police Department

Enclosures:

Order

City of Appleton Municipal Code Sections 3-1, 3-2, 3-131, 3-132, 3-133, 3-134

CC: Lt. Kelly Gady, Appleton Police Department, ACA Amanda Jadin, Appleton City Attorney's Office, and Kurt Eggebrecht, Health Department

IN THE CITY OF APPLETON,
OUTAGAMIE COUNTY,
STATE OF WISCONSIN

CITY OF APPLETON
A Wisconsin Municipal Corporation

Petitioner,

v.

Jessica L. Owen
As owner of Kinley (KINLEY, F, N-, L+ 2016, R+, DECLARED DANGEROUS ON 09/15/16, ALL BLACK
IN COLOR)

Respondent.


ORDER DECLARING PROHIBITED DANGEROUS ANIMAL

As the owner and/or caretaker of the above-named animal, you are hereby notified that the City of Appleton has declared that the above-named animal is a prohibited dangerous animal pursuant to the City of Appleton's Municipal Code 3-134.

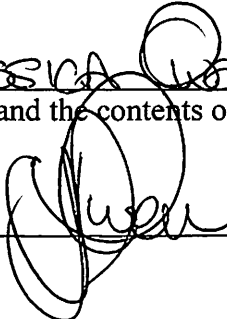
Because the animal has been declared as a prohibited dangerous animal, you are further notified that you must immediately comply with the requirements of City of Appleton Municipal Code Section 3-134(a). You may arrange for the animal to be held outside of the City, or the animal will be confined, pursuant to 3-134(b)(3).

This order remains in effect, even if appealed, until modified or withdrawn. This order is in effect for the lifetime of the animal.

SO ORDERED, this 22 day of December, 2016 at _____ am/pm.


Matthew Fillebrown, Certified Humane Officer
Appleton Police Dept. City of Appleton, WI

I, Jessica Owen (respondent's printed name), acknowledge receipt of this order and understand the contents of the order, including the time limits if I wish to appeal.

Signed:  Disagree

Date: 10/22/16

From: Jessica Owen [<mailto:jlo.2016@outlook.com>]

Sent: Friday, December 30, 2016 2:48 PM

To: Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>

Cc: Britney K. Stobbe <Britney.Stobbe@Appleton.org>; Steven.DeBaere@aimtrucking.com

Subject: Re: Automatic reply: Prohibited Dangerous Dogs appeal request 12-23-16 for Owner JL Owen k9 Kinley Vom FullForce

OK thank you so much

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From: Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>

Sent: Friday, December 30, 2016 2:25:04 PM

To: Jessica Owen

Cc: Britney K. Stobbe

Subject: Re: Automatic reply: Prohibited Dangerous Dogs appeal request 12-23-16 for Owner JL Owen k9 Kinley Vom FullForce

Ok I will place your request to appeal on the next Board of Health meeting agenda which will be held January 11 at 7 am. We will meet in room 6A of the City Center (same room as before).

Thanks

Kurt

Sent from my iPhone

On Dec 30, 2016, at 2:19 PM, Jessica Owen <jlo.2016@outlook.com> wrote:

Yes

Kenley was not out neither were any of the other dogs we have several witnesses, putting myself through this with the dogs all morning

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From: Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>

Sent: Tuesday, December 27, 2016 2:58:14 PM

To: Jessica Owen

Subject: Re: Automatic reply: Prohibited Dangerous Dogs appeal request 12-23-16 for Owner JL Owen k9 Kinley Vom FullForce

Is it your intent to request an appeal? I did not yet receive a request from you.

You can e mail me your request and reason why you feel this declaration should be reviewed by the Board of Health.

Thanks

Kurt

Sent from my iPhone

On Dec 27, 2016, at 2:43 PM, Jessica Owen <jlo.2016@outlook.com> wrote:

Just needed to confirm you did infact receive this.

Thank you!

Jessica

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From: Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>

Sent: Monday, December 26, 2016 3:51:26 PM

To: Jessica Owen

Subject: Automatic reply: Prohibited Dangerous Dogs appeal request 12-23-16 for Owner JL Owen k9 Kinley Vom FullForce

Thanks for your e-mail. I am away from the office until January 3 and unable to read or respond to your e-mail. If this is an urgent matter please call 920-832-6429 and another staff member will assist you.

Thanks,

Kurt

Kurt Eggebrecht

Health Officer

Appleton Health department

ARTICLE I. IN GENERAL

Sec. 3-1. 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 live, vertebrate creature, domestic or wild.

Animal at large means an animal that is off the property of the owner and not under restraint.

Animal control officer means any person designated by the Police Department to enforce the ordinances of the City and state statutes adopted by reference as they pertain to animal control.

Animal shelter means any facility operated by a humane society or municipal agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

Bodily Harm means bodily injury including, but not limited to, a laceration requiring stitches, any fracture of a bone, a concussion, a loss or fracture of a tooth or any temporary loss of consciousness, sight or hearing.

Caretaker means any person who, in the absence of the owner, temporarily harbors, shelters, keeps or is in charge of a dog, cat or any other domesticated bird or animal.

Confined means restriction of an animal at all times by the owner to an escape-proof building, vehicle or other enclosure.

Cruel means causing unnecessary and excessive pain, suffering or unjustifiable injury or death to an animal. Additionally, it shall be unlawful to tease, annoy, disturb, molest or irritate an animal that is confined to the owner's premises.

Dangerous Animal means any of the following:

- (1) Any animal which, when unprovoked, inflicts bodily harm on a person, domestic pet or animal on public or private property.
- (2) Any animal which repeatedly chases or approaches persons in a menacing fashion or apparent attitude of attack, without provocation, upon the streets, sidewalks or any public grounds or on private property of

another without the permission of the owner or person in lawful control of the property.

- (3) Any animal with a known propensity, tendency or disposition to attack, to cause injury to, or otherwise threaten the safety of humans or other domestic pets or animals.

Domestic animal means any animal which normally can be considered tame and converted to home life.

Dwelling unit means a building or portion thereof designed to be used exclusively for residential purposes.

Health officer means the City Health Officer or his duly designated representative.

Humane officer means an individual appointed as such in accordance with §173.03.

Kennel means any premises wherein any person engaged in the business of boarding, breeding, buying, letting for hire, training for a fee or selling of dogs or cats.

Licensing authority means the political body authorized to issue animal licenses.

Owner means any individual that has the right of property in an animal or who keeps, harbors, cares for, acts as its custodian or who knowingly permits an animal to remain on or about his premises/property for five (5) or more consecutive days.

Pet store means any retail establishment in a commercially zoned building whose business includes the sale of live animals.

Prohibited Dangerous Animal means any of the following:

- (1) Any animal that is determined to be a prohibited dangerous animal under this division.
- (2) Any animal that, while off the owner or caretaker's property, has killed a domesticated animal without provocation.
- (3) Any animal that, without provocation, inflicts serious bodily harm on a person on public or private property.
- (4) Any animal brought from another city, village, town or county that has been declared dangerous or vicious by that jurisdiction.

ANIMALS

- (5) Any dog that is subject to being destroyed under s. 174.02(3), Wis. Stats.
- (6) Any dog trained, owned or harbored for the purpose of dog fighting.

Public nuisance means any animal which:

- (1) Molests passersby or passing vehicles;
- (2) Attacks persons or animals without provocation when such persons or animals are peacefully conducting themselves in a place where they are lawfully entitled to be;
- (3) Is at large on school grounds, parks or cemeteries;
- (4) Is repeatedly at large;
- (5) Damages private or public property;
- (6) Barks, whines or howls in an excessive, continuous or untimely fashion;
- (7) Any animal not having the vaccination as required by §3-18 of the Appleton Municipal Code;
- (8) Is the subject of repeated violations under this chapter.

Render sterile refers to a surgical procedure that has been performed on an animal that renders it incapable of siring or bearing offspring. The term includes neutering and spaying.

Restraint means that the animal is secured by a leash or lead, and under the control of a responsible person and obedient to that person's command, or within the real property limits of its owner.

Serious bodily harm means bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

Veterinary hospital or clinic means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of disease and injuries of animals.

Wild animal means any nonhuman primate, raccoon, skunk, fox, wolf, or any animal which is in part of the *canis lupis* species, any animal raised for fur-bearing purposes or any other animal or hybrid thereof which can normally be

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found in the wild state, or poisonous reptiles, crocodilians and any other snake or reptile exceeding three (3) feet in length.

(Code 1965, §23.02; Ord 4-93, §1-6-93; Ord 32-97m §1-4-16-97; Ord 116-00, §1, 12-23-00; Ord 58-04, §1, 4-27-04; Ord 17-05, §1, 3-8-05)

Cross reference(s) – Definitions and rules of construction generally, §1-2.

Sec. 3-2. Enforcement and penalties.

(a) The provisions of this chapter shall be enforced by employees of the Health Department, Police Department or other persons authorized by the City Health Officer or Chief of Police. The City Health Officer may grant any exemptions or variances to the enforcement of this chapter for dogs specially trained to lead blind or deaf persons, to provide support for mobility-impaired persons or to assist with emergency search and rescue operations.

(b) Police Department and Health Department personnel are authorized to catch and impound animals at large, with such authorization to include the pursuit of animals upon the premises of the owner, caretaker or other private property. It shall be a violation of this chapter to interfere with the Health Department, Police Department or other persons authorized by the City Health Officer or Chief of Police in the performance of their duties.

(c) Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in §1-16. (Code 1965, §23.13; Ord 40-96, §1, 5-1-96; Ord 164-02, §1, 8-27-02; Ord 17-5, §1, 3-8-105)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation. §1-18; health officer §2-261 et seq.; police department, §2-346 et seq.

Sec. 3-3. Authority to order general confinement of dogs and cats.

Whenever the safety of the public shall require it, the Mayor, by notice published in the official paper of the City, shall order that, for a period of twenty (20) days from and after the date of the notice, no dogs or cats shall be permitted to go abroad in any of the streets, lanes, alleys or public places in the City without being properly muzzled with a secure muzzle or being led by a chain or other secure fastening.

(Code 1965, §23-14)

Sec. 3-4. Animal care generally.

No owner or caretaker of an animal shall fail to provide it with adequate food, adequate water and adequate heating, cooling, ventilation, sanitation, shelter, and

medical care consistent with the normal requirements of an animal's size, species and breed.

(Code 1965, §23.09(1); Ord 17-05, §1, 3-8-05)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-81.

Sec. 3-5. Abuse of animal; fighting animals.

(a) No person shall beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse an animal.

(b) No person shall cause, instigate or permit any dogfight, cockfight or other combat between animals or between animals and humans and no person may own, possess, keep or train any animal with the intent that the animal be engaged in fighting with other animals or humans. This section shall not apply to animals used by law enforcement, military or licensed security agencies, or animals whose owner or caretaker is a member of a nationally recognized animal organization and the animal is specially trained to compete in organized exhibitions, competitions or trials sanctioned by a recognized organization.

(Code 1965, §23.09(2); Ord 17-05, §1, 3-8-05)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-6. Abandonment.

No owner or caretaker of an animal shall abandon such animal.

(Code 1965 §23.09(3); Ord 17-05, §1, 3-8-05)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-7. Giving animal as prize or inducement.

No person shall give away any live animal, fish, reptile or bird as a prize for or as an inducement to enter any contest, game or other competition or as an inducement to enter a place of amusement, or offer such animal as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.

(Code 1965, §23.09(4))

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-8. Reserved.

Editor's Note: This section, sale of baby fowl was deleted by Ord 17-05, §1, 3-8-05)

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Sec. 3-9. Report of vehicle striking animal.

Any person who, as the operator of a motor vehicle, strikes a domestic animal, shall stop at once and shall immediately report such injury or death to the animal's owner or caretaker. If the owner or caretaker cannot be ascertained and located, such operator shall at once report the accident to the Police Department or to the Humane Society.

(Code 1965, §23.09(6); Ord 17-05, §1, 3-8-05)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-10. Poisoning.

No person shall expose any poisonous substances, whether mixed with food or not, so that the substance shall be liable to be eaten by any animal, provided that it shall not be unlawful for a person to expose on his own property poisons designed for the purpose of rodent or pest extermination. This provision shall not prohibit the Health Department personnel or licensed pest control operators from providing rodent or pest control services.

(Code 1965, §23.09(7))

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-11. State law regarding cruelty to animals adopted.

W.S.A. §951.02 regarding cruelty to animals is hereby adopted by reference and made an offense punishable as a violation of this Code.

(Code 1965, §8.02(7))

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-12. Maximum number of animals.

No person or household shall keep more than six (6) animals, the maximum number of dogs being three (3), the maximum number of rabbits being two (2), on any City lot, land parcel, or dwelling unit if in a multiple dwelling unit, with the exception of a litter of pups or kittens, which may be kept for a period of time not to exceed five (5) months from birth. This section does not apply to premises holding a valid kennel license.

(Code 1965, §23.10; Ord 17-05, §1, 3-8-05)

Cross reference(s) – Citation for violation of certain ordinances, §1-7; schedule of deposits for citation, §1-18.

Sec. 3-13. Maintenance of pens and enclosures.

All pens, yards, structures or areas where animals are kept shall be maintained in a nuisance free manner. Excrement shall be removed regularly and disposed of

properly so not to attract insects or rodents, become unsightly, or cause objectionable odors.

(Code 1965, §23.12(3); Ord 17-05, §1, 3-8-05)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-14. Removal of animal waste.

(a) The owner or caretaker of an animal shall promptly remove and dispose of, in a sanitary manner, any excrement left or deposited by the animal upon public or private property.

(b) The owner or caretaker of a dog or cat shall have in his or her immediate possession an appropriate means of removing animal excrement whenever said animal is not on property owned or possessed by the owner or caretaker. This subsection shall not be applicable in cases in which a person is being assisted by a trained and certified seeing eye or mobility assistance dog.

(Code 1965, §23.12(1), (2); Ord 17-05, §1, 3-8-05)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18

Sec. 3-15. Restraint, nuisance animals.

(a) The owner or caretaker of any animal shall confine, restrain or maintain control over the animal so that the unprovoked animal does not run at large, attack or injure any person or domesticated animal.

(b) All owners shall exercise proper care and control of their animals to prevent them from becoming a public nuisance.

(c) Every female dog or cat in heat shall be confined in a building or secure enclosure, or otherwise restrained, in such a manner that such female dog or cat cannot come into contact with another unneutered male of the same species, except for planned breeding.

(Code 1965, §23.06(1) - (3); Ord 17-05, §1, 3-8-05)

Cross reference(s) - Citation for violation of certain ordinances. §1-17; schedule of deposits for citation §1-18.

Sec. 3-16. Impoundment.

(a) Unrestrained and nuisance animals shall be taken by authorized employees of the Police Department and impounded in a temporary or permanent animal shelter and there confined in a humane manner.

(b) When an animal is causing a public nuisance and its owner cannot be contacted at the time of the complaint, it may be impounded by authorized employees of the Police Department after an attempt to contact the owner is unsuccessful. After impoundment, reasonable attempts shall be made to contact the owner.

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(c) An owner reclaiming an impounded animal shall pay the accrued impoundment fee and comply with provisions of Article II, Division 2 of this chapter.

(d) Any animal not reclaimed by its owner within seven (7) days becomes the property of the local government authority or humane society and shall be placed for adoption in a suitable home or humanely euthanized.

(Code 1965, §23.08; Ord 17-05, §1, 3-8-05)

Sec. 3-17. Report of animal bites and scratches.

All incidents occurring in the City in which any animal bites or scratches a person or another animal, or is suspected of such, shall immediately be reported to the Police Department by any person having knowledge of such incident. If the bite or scratch is caused by an animal for which there is no rabies vaccine or known quarantine, the animal, at the discretion of the Police Department or Health Officer, may be euthanized and analyzed for rabies with all expenses incurred being the responsibility of the owner.

(Code 1965, §23.07; Ord 17-05, §1, 3-8-05)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-18. Rabies vaccination for dogs, cats and ferrets; exemption.

(a) The owner of a dog, cat or ferret shall have the animal vaccinated by a veterinarian at not later than five (5) months of age; or, if an owner obtains or brings an animal into the City that has reached five (5) months of age, unless that animal has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state, the owner of that animal shall have the animal revaccinated:

(1) Before the date that the immunization expires as stated on the certificate; or

(2) If no date is specified, within one (1) year after the previous vaccination.

(b) The owner of a dog may petition the Health Officer for an exemption to this section. Exemptions shall only be considered if a licensed veterinarian provides a detailed written explanation stating the vaccination is inadvisable because of a reaction to a previous vaccination, a physical condition, or a regimen of therapy that the dog is undergoing. A new letter shall be required for each year that an exemption is sought. The owner may appeal the Health Officer's decision to the Board of Health by following the same review process set forth in Code §3-131.

(Code 1965, §23.032)(a); Ord 17-05, §1, 3-8-05; Ord 78-06, §1, 6-13-06)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-19. Confinement of dog, cat or ferret involved in bite or scratch incident.

(a) If any dog, cat or ferret for which the owner holds a current rabies certificate is involved in a bite or scratch incident, the owner shall quarantine and confine the animal under the supervision of a licensed veterinarian for at least ten (10) days from the date of the incident. The animal shall not be allowed to come in contact with other animals or people during the period of confinement. Supervision of a veterinarian includes, at a minimum, examination of the animal on the first day, on the tenth day, and on one (1) intervening day.

(b) Any dog, cat or ferret involved in a bite or scratch incident that has not been vaccinated or has not been revaccinated within the prescribed times must be confined at a veterinary hospital or a place designated by the City Health Officer or the Police Department.

(c) The owner of any dog, cat or ferret involved in a bite or scratch incident is responsible for any expenses incurred.

(Code 1965, §23.03(2)(d); Ord 17-05, §1, 3-8-05)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 3-20. State law regarding humane officers, rabies control and dogs adopted.

The provisions of W.S.A. Chapter 173, §95.21 and Chapter 174, exclusive of any penalties, are adopted by reference and are made part of this chapter, so far as applicable.

(Code 1965, §23.01)

State law reference(s) - Rabies control, W.S.A. §95.21; dogs, W.S.A. ch. 174.

Sec. 3-21. Record of sales for pet shops, animal dealers.

Pet shops and animal dealers shall keep a record of all sales of dogs, cats and ferrets. The record shall contain the date and source of acquisition of the animal and the name, address and telephone number of the purchaser. The record of such sale must be kept at least one (1) year and all records shall be subject to inspection by the Police Department or any employee of the Health Department.

(Code 1965, §23.18)

Sec. 3-22. Humane officer; appointment; authority.

Pursuant to Section 173.03 of the Wisconsin Statutes, the Common Council for the City of Appleton, may from time to time, appoint one (1) or more Humane Officers. Humane Officers shall have the authority specified in ch. 173 and shall be under the direction of the Chief of Police or designee thereof.

Sec. 3-23. Abatement orders.

(a) **Issuance of order.** After investigation, if a humane officer or law enforcement officer has reasonable grounds to believe that a violation of a statute or ordinance is occurring and that the violation is causing or has the potential to cause injury to an animal, the humane officer or law enforcement officer may issue and serve an order or abatement pursuant to section 173.11 of the Wisconsin Statutes.

(b) **Hearing officer.** Any person named in an order issued under sub. (a) may, within the ten- (10-) day period following service of the order, request a hearing on the order. The Health Officer shall conduct the hearing pursuant to the provisions of section 173.11 of the Wisconsin Statutes.

(c) **Appeal.** Appeal from the decision of the Health Officer or other official shall be as provided in section 173.11 of the Wisconsin Statutes.

(Ord 17-05, §1, 3-8-05)

Sec. 3-24. Police dogs.

No person shall knowingly resist, obstruct or interfere with any police dog while the dog is on duty in pursuit of its police duties. Any police dog shall be exempt from the provisions of the animal control ordinance and other City ordinances, including quarantine periods after a bite, while on duty.

(Editor's Note: This section replaces §10-11, which has been deleted.)

(Ord 17-05, §1, 3-8-05)

Secs. 3-25 - 3-50. Reserved.

ANIMALS

ARTICLE II. LICENSES

DIVISION I. GENERALLY

Sec. 3-51. Issuance.

(a) It shall be a condition of the issuance of any license under this article that the Police Department or Health Department shall be permitted to inspect all animals and the premises where the animals are kept at any time. If permission for such inspection is refused, the license of the refusing owner shall be revoked.

(b) If the applicant has withheld or falsified any information on the application, the licensing authority shall refuse to issue a license.

(c) No person who has been convicted of cruelty to animals shall be issued an animal license or be granted a license to operate a kennel.

(Code 1965, §23.05(4) – (6); Ord 17-05, §1, 3-8-05)

Sec. 3-52. Restricted species.

(a) Except as otherwise permitted within this section, no person shall keep, sell or offer for sale within the City any horses, cows, pigs, goats, sheep, bees, pigeons, chickens, geese, ducks or other fowl or any other domestic animal other than a dog, cat, rabbit, small caged birds, small caged animals or reptiles or aquatic and amphibian animals, kept solely as pets.

(b) Upon obtaining a permit issued by the Health Department, up to five (5) honeybee hives may be maintained by a permit holder within areas zoned P-I, Public Institutional District; or, a permit holder may maintain three (3) honeybee hives per acre up to a maximum of twenty-five (25) hives within an area approved as an urban farm.

(c) Upon obtaining a permit issued by the Health Department, residential honeybee hives may be maintained subject to the requirements and limitations on file with the Health Department.

(c) Upon obtaining a permit issued by the Health Department, and subject to the requirements and limitations on file with the Health Department, a limited number of pigeons may be maintained by the permit holder.

(Ord 39-92, §1, 4-15-92; Ord 141-09, §1, 8-25-09; Ord 74-11, §1, 3-22-11; Ord 37-12, §1, 5-16-12; Ord 12-13, §1, 4-9-13; Ord 82-15, §1, 10-13-15)

Sec. 3-53. Kennels and pet stores.

Except as otherwise provided, the restrictions and conditions imposed by this division shall apply to kennels

and pet store licenses pursuant to Chapter 9. Kennel and pet store operators shall have dogs and cats vaccinated against rabies, but are not required to license individual animals. No kennel or pet store license or fee is required of any veterinary hospital or clinic or animal shelter. The location of kennels and pet stores is subject to applicable zoning and other regulations.

(Ord. 33-97, §1, 4-16-97; Ord 17-05, §1, 3-8-05)

Secs. 3-54 – 3-65. Reserved.

**DIVISION 2. LICENSE FOR DOGS
AND CATS.**

Sec. 3-66. Required.

(a) Any person owning, keeping, harboring or having custody of any dog or cat over five (5) months of age within the City must obtain a license as provided in this division.

(b) Application for a license must be made within thirty (30) days after obtaining a dog or cat over four (4) months of age, except that this requirement will not apply to a nonresident keeping a dog, or cat within the municipality for not longer than thirty (30) days.
(Code 1965, §23.03(a) (1), (4))

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation. §1-18.

Sec. 3-67. Application.

Written application for a dog or cat license shall be made to the licensing authority and shall include the name and address of the applicant, a description of the animal, any additional information requested, the appropriate fee, and a rabies certificate issued by a licensed veterinarian.
(Code 1965, §23.03(1)(a)(2); Ord 17-05, §1, 3-8-05)

Sec. 3-68. Reserved.

Editor's Note: This section, Term, was deleted by Ord 17-05, §1, 3-8-05)

Sec. 3-69. Issuance; fee.

(a) A dog or cat license shall be issued after completing an application, showing evidence of rabies vaccination and payment of the applicable fee. Evidence of neutering, spaying, or other method of rendering the animal sterile, from a licensed veterinarian, will be required to receive the discounted fee for animals rendered sterile.

(b) License fees shall be as follows:

- (1) For each dog or cat not rendered sterile, eleven dollars (\$11.00)
- (2) For each dog or cat rendered sterile, six dollars (\$6.00).

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(Code 1965, §23.03(1)(a)(5); Ord 17-05, §1, 3-8-05)

Sec. 3-70. Persons exempted from fee.

The license fee provided in this division shall not be required for governmental police dogs or other dogs subject to exemptions under Stats. Sec. 174.054, 174.055 and 174.056, as amended. Every person owning such a dog shall receive a free dog license annually upon application.
(Code 1965, §23.03(1)(a)(5))

Sec. 3-71. License year; proration of fee.

The license year commences on January 1 and ends on the following December 31. Application for a license may be made thirty (30) days prior to the license year. Persons applying for a license during the licensing year shall be required to pay fifty percent (50%) of the fee stipulated in this division if the animal becomes five (5) months of age after July 1 of the licensing year.
(Code 1965, §23.03(1)(a)(9))

Sec. 3-72. Late fee.

The Director of Finance shall assess and collect a late fee of five dollars (\$5.00) if the owner fails to obtain a dog or cat license prior to April 1 of each year or within thirty (30) days of acquiring ownership of a licensable animal, or if the owner failed to obtain a license on or before the animal reached licensable age.
(Code 1965, Ord 4-93, §1, 1-6-93; Ord 17-05, §1, 3-8-05)

Sec. 3-73. Duplicates.

A duplicate dog or cat license may be obtained upon payment of a replacement fee of five dollars (\$5.00).

Sec. 3-74. Issuance of tags.

Upon acceptance of the dog or cat license application and fee, the licensing authority shall issue a durable tag stamped with an identifying number and the year of issuance. Tags should be designed so that they may be conveniently fastened or riveted to the animal's collar or harness.

Sec. 3-75. Record of tags.

The licensing authority shall maintain a record of the identifying numbers of all dog and cat license tags and shall make this record available to the public.

Sec. 3-76. Wearing of license tag, rabies tag required.

Dogs and cats must wear license and rabies vaccination tags at all times when off the premises of the owner, with the exception of show dogs or cats during competition.

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Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

DIVISION 3. RESERVED

Secs. 3-91 – 3-115. Reserved.

Sec. 3-77. Unlawful use.

No person may use any dog or cat license for any animal other than the animal for which it was issued.

Cross reference(s) – Citation for violation for certain ordinances. §1-17; schedule of deposits for citation, §1-18.

Sec. 3-78. Revocation.

(a) The Safety and Licensing Committee, with Common Council approval, may revoke any dog or cat license if the person holding the license refuses or fails to comply with this chapter or any other law governing the protection and keeping of animals.

(b) Any person whose license is revoked shall, within ten (10) days thereafter, humanely dispose of all animals owned, kept or harbored. No part of the license fee shall be refunded. For any animal, a receipt from an animal shelter, veterinarian or other individual must be obtained as proof of proper disposal.

(Code 1965, §23.05(1), (3); Ord 17-05, §1, 3-8-05)

Secs. 3-79 – 3-90. Reserved.

ARTICLE III. WILD OR DANGEROUS ANIMALS

DIVISION 1. GENERALLY.

Sec. 3-116. Keeping for exhibition purposes; keeping wild animal as pet.

(a) No person shall exhibit or permit to be kept on their premises or any public place any wild animal for display or exhibition purposes, whether gratuitously or for a fee.

(b) The prohibitions in (a) of this section do not apply when the creatures are in the care, custody or control of a veterinarian for treatment.

(c) Public or private educational institutions, non-profit organizations, itinerant or transient carnivals, circuses or other theatrical performances may seek, from the Health Officer, a limited exemption from this section provided the display will be of limited duration and meet any other requirements or conditions mandated by the Health Officer. The person or organization having custody and control of any animal permitted by this section shall be responsible for compliance with all other provisions of this chapter while the animal remains within the City limits.

(d) No person shall keep or permit to be kept any wild animal as a pet.

(Code 1965, §23.11; Ord 59-04, §1, 4-27-04; Ord 17-05, §1, 3-8-05)

Sec. 3-117. Feeding of deer or other wild animals prohibited.

No person may place any salt, mineral, grain, fruit or vegetable material outdoors on any public or private property for the purpose of feeding whitetail deer or other wild animals.

(a) *Presumption.* There shall be a rebuttable presumption that either of the following acts are for the purpose of feeding whitetail deer:

- (1) The placement of salt, mineral, grain, fruit or vegetable material in an aggregate quantity of greater than one-half (½) gallon at the height of less than six (6) feet off the ground.
- (2) The placement of salt, mineral, grain, fruit or vegetable material in an aggregate quantity of greater than one-half (½) gallon in a drop feeder, automatic feeder or similar device regardless of the height of the grain, fruit or vegetable material.

(b) *Exceptions.* This ordinance shall not apply to the following situations:

- (1) Naturally growing materials. Naturally growing grain, fruit or vegetable material, including gardens.
- (2) Bird feeders. Unmodified commercially purchased bird feeders or their equivalent.
- (3) Authorized by the Common Council. Deer feeding may be authorized on a temporary basis by the Common Council for a specific purpose as determined by the Common Council.

(Ord 17-05, §1, 3-8-05)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Secs. 3-118 – 3-130. Reserved.

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DIVISION 2. DANGEROUS ANIMALS

Sec. 3-131. Procedure for declaring animal dangerous.

(a) Upon conducting an investigation the humane or law enforcement officer may issue an order declaring an animal to be a dangerous animal. Whenever an owner or caretaker wishes to contest an order, he or she shall, within seventy-two (72) hours after receipt of the order, deliver to the Health Officer a written objection to the order stating specific reasons for contesting the order. Upon receipt of the written objection, the matter shall be placed on the Agenda for the Board of Health to be reviewed at the next regular meeting. The Board of Health shall act as a quasi-judicial body allowing the animal's owner or caretaker an opportunity to present evidence as to why the animal should not be declared dangerous.

(b) After the hearing, the owner or caretaker shall be notified in writing of the Board's determination. If the Board upholds the determination that the animal is dangerous, the owner or caretaker shall comply with the requirements of §3-132. If the owner or caretaker further contests the determination, he or she may, within five (5) days of receiving the panel's decision, seek review of the decision by the Circuit Court.

(c) Upon an animal being declared dangerous, the owner or caretaker shall immediately comply with leashing, muzzling and confinement requirements of §3-132 with all other requirements in that section being satisfied within thirty (30) days of the dangerous declaration or reaffirmation thereof, or within such time as established by the Board of Health.

(Code 1965, §23.06(4)(e); Ord 17-05, §1, 3-8-05 ; Ord 117-07, §1, 7-24-07)

Sec. 3-132. Harboring dangerous animals.

(a) *Dangerous animals regulated.*

- (1) No person may harbor or keep a dangerous animal within the city unless all provisions of this section are complied with. Any animal that is determined to be a prohibited dangerous animal under this division shall not be kept or harbored in the city.
- (2) The issuance of a citation for a violation of this section need not be predicated on a determination that an animal is a dangerous animal.

(b) *Registration.* The owner of any animal declared dangerous, shall register it with the Police Department upon disposition, and annually thereafter on or before April 1 of each year, by providing a current color photograph of the

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animal and payment of a seventy-five dollar (\$75.00) registration fee.

(c) *Leash and muzzle.*

- (1) No owner or caretaker, harboring or having the care of a dangerous animal may permit such an animal to go outside its dwelling, kennel or pen unless the animal is securely restrained with a leash no longer than four (4) feet in length.
- (2) No person may permit a dangerous animal to be kept on a chain, rope or other type of leash outside its dwelling, kennel or pen unless a person who is sixteen (16) years of age or older, competent to govern the animal and capable of physically controlling and restraining the animal, is in physical control of the leash.
- (3) A dangerous animal may be securely leashed or chained to an immovable object, with the owner or caretaker being in the physical presence of the animal at all times when it is so leashed or chained.
- (4) A dangerous animal outside of the animal's dwelling, kennel or pen shall be muzzled in humane way by a muzzling device sufficient to prevent the animal from biting persons or other animals.

(d) *Confinement.*

- (1) Except when leashed and muzzled, all dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel that is located on the premises of the owner or caretaker and constructed in a manner that does not allow the animal to exit the pen or kennel on its own volition.
- (2) When constructed in a yard, the pen or kennel shall, at a minimum, be constructed to conform to the requirements of this paragraph. The pen or kennel shall be child-proof from the outside and animal-proof from the inside. A strong metal double fence with adequate space between fences (at least two (2) feet) shall be provided so that a child cannot reach into the animal enclosure. The pen, kennel or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a dangerous animal shall be locked with a key or combination lock when the animal is within the structure.

The structure shall either have a secure bottom or floor attached to the sides of the pen or the sides of the pen shall be embedded in the ground no less than two (2) feet. All structures erected to house dangerous animals shall comply with all city zoning and building regulations. All structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

- (3) *Indoor Confinement.* No dangerous animal may be kept on a porch, patio or in any part of a house or structure on the premises of the owner or caretaker that would allow the animal to exit the building on its own volition. No dangerous animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the animal from exiting the structure.

(e) *Signs.* The owner or caretaker of a dangerous animal shall display, in prominent places on his or her premises near all entrances to the premises, signs in letters of not less than two (2) inches high warning that there is a dangerous animal on the property. A similar sign is required to be posted on the kennel or pen of the animal. In addition, the owner or caretaker shall conspicuously display a sign with a symbol warning children of the presence of a dangerous animal.

(f) *Spay and neuter requirement.* Within thirty (30) days after an animal has been designated dangerous, the owner or caretaker of the animal shall provide written proof from a licensed veterinarian that the animal has been spayed or neutered.

(g) *Liability insurance.* The owner or caretaker of a dangerous animal shall present to the Health Officer or Humane Officer a certificate of insurance that the owner or caretaker has procured liability insurance in an amount not less than \$1,000,000 for any personal injuries inflicted by the dangerous animal. Whenever such policy is cancelled or not renewed, the insurer and animal's owner or caretaker shall notify the Health Officer or Humane Officer of such cancellation or non renewal in writing by certified mail.

(h) *Waiver by Board of Health.* Upon request, by the owner or caretaker, the Board of Health may waive any requirement specified in subsections (a) through (g) that is deemed to be inappropriate for a particular dangerous animal.

(i) *Notification.* The owner or caretaker shall notify the police department within twenty-four (24) hours if a dangerous animal is at large, is unconfined, has attacked another animal or has attacked a human being or has died.

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No person may sell or transfer possession of a dangerous animal to another person without first notifying the person to whom the dangerous animal is being sold or transferred of the fact that such animal is a dangerous animal and of any requirements imposed upon the selling or transferring party by this division. No person may sell or transfer possession of a dangerous animal to another person, agency, organization or the like without first notifying the Police Department in writing, at least three (3) days in advance of the sale or transfer of possession with the name, address and telephone number of the new owner of the dangerous animal. If the dangerous animal is sold or given away to a person residing outside the city, the owner or caretaker shall present evidence to the Police Department showing that he or she has notified the Police Department, or other law enforcement agency of the animal's new residence, including the name, address and telephone number of the new owner of the dangerous animal.

(j) *Euthanasia.* If the owner or caretaker of an animal that has been designated a dangerous animal is unwilling or unable to comply with the regulations for keeping the animal in accordance with this section, he or she may have the animal humanely euthanized by an animal shelter, the humane society or a licensed veterinarian.

(k) *Waiver.* The Health Officer may waive the provisions of subsections (b) to (g) for a law enforcement or military animal upon presentation by the animal's owner or handler of satisfactory arrangement for safe keeping of the animal.

(Ord 17-05, §1, 3-8-05)

Sec. 3-133. Certain animals not be declared dangerous

Notwithstanding the definition of a dangerous animal in §3-1:

(a) No animal may be declared dangerous if death, injury or damage is sustained by a person who, at the time such injury or damage was sustained, was committing a trespass on the land or criminal trespass on the dwelling upon premises occupied by the owner of the animal; was teasing, tormenting, abusing or assaulting the animal; or was committing or attempting to commit a crime or violating or attempting to violate an ordinance which protects persons or property.

(b) No animal may be declared dangerous if death, injury or damage was sustained by a domestic animal which, at the time such was sustained, was teasing, tormenting, abusing or assaulting the animal.

(c) No animal may be declared dangerous if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

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(d) No animal may be declared dangerous for acts committed by the animal while being utilized by a law enforcement agency for law enforcement purposes while under the control and direction of a law enforcement officer.

(Code 1965, §23.02(p); Ord 17-05, §1, 3-8-05)

Sec. 3-134. Prohibited dangerous animals.

(a) *Not allowed in city.* No person may bring into or keep in the city any animal that is a prohibited dangerous animal under this section.

(b) Determination of a prohibited dangerous animal.

(1) The Health Officer or Police Department may determine an animal to be a prohibited dangerous animal whenever the Health Officer or Police Department finds that an animal meets the definition of prohibited dangerous animal or is a dangerous animal in non-compliance with any of the provisions of §3-132.

(2) Upon conducting an investigation and finding an animal meets the definition of a prohibited dangerous animal, the Police Department may issue an order declaring an animal to be a prohibited dangerous animal. Whenever an owner or caretaker wishes to contest an order, he or she shall, within seventy-two (72) hours after receipt of the order, deliver to the Health Officer a written objection to the order stating specific reasons for contesting the order. Upon receipt of the written objection, the matter shall be placed on the agenda for the Board of Health to be reviewed at the next regular meeting. The Board of Health shall act as a quasi-judicial body allowing the animal's owner or caretaker an opportunity to present evidence as to why the animal should not be declared a prohibited dangerous animal.

(3) Pending the outcome of the hearing, the animal may be confined subject to Sec. 173.21, Wis. Stats., or held at a location outside the limits of the City.

(4) After the hearing, the owner or caretaker shall be notified in writing of the Board's determination. If a determination is made that the animal is a prohibited dangerous animal, the owner or caretaker shall comply with subsection (a) within five (5) days after the date of the determination. If the owner or

caretaker further contests the determination, he or she may, within five (5) days of receiving the panel's decision, seek review of the decision by the Circuit Court.

(c) *Destruction.* Any dog that has caused bodily harm to a person, persons or a domestic animal on two (2) separate occasions off the owner's premises, without reasonable cause, may be destroyed as a result of judgment rendered by a court of competent jurisdiction, as specified under sec. 174.02(3), Wis. Stats. The City Attorney may petition an appropriate court to obtain a court order to destroy such a dog.

(d) *Enforcement.* The Health Department and Police Department may make whatever inquiry is deemed necessary to ensure compliance with this section.

(e) *Waiver.* The Health Officer may waive the provisions of this section for a law enforcement or military animal upon presentation by the animal's owner or handler of a satisfactory arrangement for safe keeping of the animal.

Ord 17-05, §1, 3-8-05)

REFERRAL LETTER

***TO THE MAYOR, MEMBERS
OF THE COMMON COUNCIL
AND CITY STAFF:***

September 22, 2016

At the regular meeting of the Common Council held September 21, 2016 the following items of business were referred to the respective Committees/Boards/Commissions.

Kami Lynch
City Clerk

RESOLUTIONS SUBMITTED BY ALDERPERSONS

R-11-16

Submitted by Alderperson Meltzer

Whereas there are many benefits to keeping chickens which will improve both the health and quality of life of Appleton residents, and

Whereas keeping chickens is allowed in many cities throughout the country and has been proven compatible with an urban environment,

Therefore be it resolved that the City of Appleton allow the keeping of up to four (4) hens at all single family and two family dwellings, following a permitting process including neighborhood notification and inspection of coop, and other guidelines as determined appropriate by the City.

Referred to the Board of Health

CHICKEN KEEPING

RULES AND REGULATIONS

Incorporated into Sec. 3-52 and adopted
pursuant to Sec. 7-28, Appleton Municipal Code

In conjunction with the adoption of Sec. 3-52(d), the following rules, regulations and restrictions are hereby adopted:

1. Persons desiring to keep chickens within the City of Appleton shall obtain an annual permit from the Health Department. Fees for said permits shall be on file with the Health Department. Before a permit is issued, the applicant must provide a plan on the form provided by the City that includes a detailed diagram of the coop location including distances from nearby structures on neighboring properties, coop design and materials plan, a plan to dispose of manure in a safe and adequate manner and comply with Wisconsin Department of Agriculture, Trade and Consumer Protection's premises registration program. Upon receiving a completed application, the Health Department will notify all property owners immediately abutting the property where the chickens will be kept, including those properties diagonally abutting the subject property, including properties located across an alley but not including properties located across a street. Property owners written objections must be received within 14 working days and contain the name, address, phone number and reason for the objection.
2. Upon receipt of written objection, the application shall be denied by the Health Officer. The applicant may appeal this decision to the Board of Health per APPEALS Section ten (10) below.
3. The keeping of up to 4 chickens, with a permit is allowed on single family or two family dwellings only. Permits will not be allowed on commercial or mixed-use occupancies.
4. The term "chicken" used throughout these regulations shall exclusively mean a female gallinaceous bird or hen of any age (including chicks). The term "chicken" does not include roosters or other kinds of fowl, including but not limited to, ducks, quail, grouse pheasant, turkeys, peacocks, emus, ostriches or the like.

5. Property Requirements

- a. Written permission from the property owner is required if the permit applicant does not own the property where chickens will be kept.
- b. Chickens shall not be kept or maintained upon a vacant lot, inside a residential dwelling unit including basements, porches, garages, sheds or similar storage structures.
- c. A coop shall be located in the rear yard of the license holder's residence. For purposes of these regulations, "rear yard" shall be defined by the Zoning Code Chapter 23.
- d. Coop and chicken run placement shall be at a minimum of, but not limited to, a three (3) foot setback from side and rear yard lot lines. Coop placement must be a minimum of 10 feet from any structure of the parcel. In addition, coops shall not be closer than twenty-five feet to a residential dwelling, church, school or business on an abutting lot.

6. Coop Design

- a. All chickens shall be kept and maintained within a ventilated and roofed coop in compliance with any applicable city codes.
- b. The coop's structural floor area shall be no less than three (3) square feet per bird, and the height of the coop shall not exceed eight (8) linear feet as measured vertically from the coop's grade level to the outside highest point of the coop.
- c. All coops, including an attached chicken run enclosure, shall be enclosed with wire netting or equivalent material that prevents chickens from escaping the coop and predators from entering the coop.
- d. Coops shall be built in a workmanlike manner with quality materials and shall be moisture resistant.
- e. All coop floors shall be composed of a hard, cleanable surface, e.g., painted or sealed wood, linoleum, hard plastic, and shall be resistant to rodents, therefore, a dirt floor is not acceptable.
- f. Coops shall be entirely removed from the property within thirty (30) days of a previously issued permit expiring and not being renewed.

7. Conditions for Keeping and Sanitation

- a. Not more than four (4) chickens may be kept on a property.
- b. Chickens shall be kept or maintained within a coop or attached chicken run enclosure at all times and be provided with adequate water, feed and shelter.
- c. Deceased chickens shall be disposed of immediately in a safe manner, which may include trash disposal after placing the deceased chicken in a sealed bag.
- d. ***Unusual illness or death of chickens shall be immediately reported to the Health Department.***
- e. Offsite sale of eggs is prohibited except as otherwise permitted by the State of Wisconsin and USDA.
- f. Coops and chicken runs shall be cleaned of hen droppings, uneaten feed, feathers and other waste as necessary to ensure the birds health and minimize odor and other nuisances.
- g. Feed shall be stored in containers which make the feed inaccessible to rodents, vermin, wild birds and predators.
- h. Culling of chickens kept pursuant to a permit, on the permit holder's property, is permissible.

8. Permits and Fees

- a. Permits shall be issued on an annual basis and expire on December 31st.
- b. Permits shall not be transferrable and license application fees shall not be prorated or refundable.
- c. The Health Officer, or designee thereof, is authorized to issue a permit pursuant to this section upon the applicant satisfying all requirements set forth herein and upon confirmation from Health and/or the Building Inspections Department that all set back requirements are met and all work requiring permits has been completed.
- d. Applications that are not approved shall, upon written request from the applicant, and received by the Health Officer within three (3) working days of denial, be reviewed by the Board of Health at its next regularly scheduled meeting.

9. Enforcement

- a. Permits for the keeping of chickens are issued by the Health Department. The Health Department, Police Department and Inspections Division of the Public Works Department shall also have jurisdiction to investigate and enforce any failure to comply with these requirements. These departments may issue compliance orders and citations pursuant to these requirements and the

municipal code section under which they are adopted, other sections of the municipal code that may apply and state law.

- b. Violations of these requirements may also constitute a public nuisance under the City of Appleton Municipal Code and Wisconsin Statutes.
- c. In addition to any other penalties imposed, any actual costs incurred by the City resulting from the abatement of a nuisance or other violation of these rules and regulations shall be collected by the City as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance or violation has been given to the owner, such cost shall be assessed against the real estate as a special charge.
- d. In addition to issuing citations for violations, the City shall have the right to suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.

10. APPEALS

- a. Any person aggrieved by the denial of a permit or by suspension or revocation of a permit by the Health Officer, or by any temporary suspension or any other order may appeal any such order to the Board of Health within thirty (30) days of denial, suspension or revocation of a permit or issuance of the order. The Board of Health shall provide the appellant a hearing or opportunity for hearing on the matter and may either suspend or continue any such order pending determination of appeal. The Board of Health shall make and keep a record of all proceedings related to any such appeal and the record and actions of the Board of Health shall be subject to review by certiorari by court of record.

11. Severability

- a. If any section of these rules and regulations is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

CHICKEN KEEPING

RULES AND REGULATIONS

Incorporated into Sec. 3-52 and adopted
pursuant to Sec. 7-28, Appleton Municipal Code

In conjunction with the adoption of Sec. 3-52(d), the following rules, regulations and restrictions are hereby adopted:

1. Persons desiring to keep chickens within the City of Appleton shall obtain an annual permit from the Health Department. Fees for said permits shall be on file with the Health Department. Before a permit is issued, the applicant must provide a plan on the form provided by the City that includes a detailed diagram of the coop location including distances from nearby structures on neighboring properties, coop design and materials plan, a plan to dispose of manure in a safe and adequate manner and comply with Wisconsin Department of Agriculture, Trade and Consumer Protection's premises registration program.
2. The keeping of up to 4 chickens, with a permit is allowed on single family or two family dwellings only. Permits will not be allowed on commercial or mixed-use occupancies.
3. The term "chicken" used throughout these regulations shall exclusively mean a female gallinaceous bird or hen of any age (including chicks). The term "chicken" does not include roosters or other kinds of fowl, including but not limited to, ducks, quail, grouse pheasant, turkeys, peacocks, emus, ostriches or the like.
4. Property Requirements
 - a. Written permission from the property owner is required if the permit applicant does not own the property where chickens will be kept.
 - b. Chickens shall not be kept or maintained upon a vacant lot, inside a residential dwelling unit including basements, porches, garages, sheds or similar storage structures.
 - c. A coop shall be located in the rear yard of the license holder's residence. For purposes of these regulations, "rear yard" shall be defined by the Zoning Code Chapter 23.

- d. Coop and chicken run placement shall be at a minimum of, but not limited to, a three (3) foot setback from side and rear yard lot lines. Coop placement must be a minimum of 10 feet from any structure of the parcel. In addition, coops shall not be closer than twenty-five feet to a residential dwelling, church, school or business on an abutting lot.

5. Coop Design

- a. All chickens shall be kept and maintained within a ventilated and roofed coop in compliance with any applicable city codes.
- b. The coop's structural floor area shall be no less than three (3) square feet per bird, and the height of the coop shall not exceed eight (8) linear feet as measured vertically from the coop's grade level to the outside highest point of the coop.
- c. All coops, including an attached chicken run enclosure, shall be enclosed with wire netting or equivalent material that prevents chickens from escaping the coop and predators from entering the coop.
- d. Coops shall be built in a workmanlike manner with quality materials and shall be moisture resistant.
- e. All coop floors shall be composed of a hard, cleanable surface, e.g., painted or sealed wood, linoleum, hard plastic, and shall be resistant to rodents, therefore, a dirt floor is not acceptable.
- f. Coops shall be entirely removed from the property within thirty (30) days of a previously issued permit expiring and not being renewed.

6. Conditions for Keeping and Sanitation

- a. Not more than four (4) chickens may be kept on a property.
- b. Chickens shall be kept or maintained within a coop or attached chicken run enclosure at all times and be provided with adequate water, feed and shelter.
- c. Deceased chickens shall be disposed of immediately in a safe manner, which may include trash disposal after placing the deceased chicken in a sealed bag.
- d. ***Unusual illness or death of chickens shall be immediately reported to the Health Department.***
- e. Offsite sale of eggs is prohibited except as otherwise permitted by the State of Wisconsin and USDA.
- f. Coops and chicken runs shall be cleaned of hen droppings, uneaten feed, feathers and other waste as necessary to ensure the birds health and minimize odor and other nuisances.

- g. Feed shall be stored in containers which make the feed inaccessible to rodents, vermin, wild birds and predators.
- h. Culling of chickens kept pursuant to a permit, on the permit holder's property, is permissible.

7. Permits and Fees

- a. Permits shall be issued on an annual basis and expire on December 31st.
- b. Permits shall not be transferrable and license application fees shall not be prorated or refundable.
- c. The Health Officer, or designee thereof, is authorized to issue a permit pursuant to this section upon the applicant satisfying all requirements set forth herein and upon confirmation from Health and/or the Building Inspections Department that all set back requirements are met and all work requiring permits has been completed.
- d. Applications that are not approved shall, upon written request from the applicant, and received by the Health Officer within three (3) working days of denial, be reviewed by the Board of Health at its next regularly scheduled meeting.

8. Enforcement

- a. Permits for the keeping of chickens are issued by the Health Department. The Health Department, Police Department and Inspections Division of the Public Works Department shall also have jurisdiction to investigate and enforce any failure to comply with these requirements. These departments may issue compliance orders and citations pursuant to these requirements and the municipal code section under which they are adopted, other sections of the municipal code that may apply and state law.
- b. Violations of these requirements may also constitute a public nuisance under the City of Appleton Municipal Code and Wisconsin Statutes.
- c. In addition to any other penalties imposed, any actual costs incurred by the City resulting from the abatement of a nuisance or other violation of these rules and regulations shall be collected by the City as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance or violation has been given to the owner, such cost shall be assessed against the real estate as a special charge.
- d. In addition to issuing citations for violations, the City shall have the right to suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.

9. APPEALS

- a. Any person aggrieved by the denial of a permit or by suspension or revocation of a permit by the Health Officer, or by any temporary suspension or any other order may appeal any such order to the Board of Health within thirty (30) days of denial, suspension or revocation of a permit or issuance of the order. The Board of Health shall provide the appellant a hearing or opportunity for hearing on the matter and may either suspend or continue any such order pending determination of appeal. The Board of Health shall make and keep a record of all proceedings related to any such appeal and the record and actions of the Board of Health shall be subject to review by certiorari by court of record.

10. Severability

- a. If any section of these rules and regulations is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

CHICKEN KEEPING

RULES AND REGULATIONS

Incorporated into Sec. 3-52 and adopted
pursuant to Sec. 7-28, Appleton Municipal Code

In conjunction with the adoption of Sec. 3-52(d), the following rules, regulations and restrictions are hereby adopted:

1. Persons desiring to keep chickens within the City of Appleton shall obtain an annual permit from the Health Department. Fees for said permits shall be on file with the Health Department. Before a permit is issued, the applicant must provide a plan on the form provided by the City that includes a detailed diagram of the coop location including distances from nearby structures on neighboring properties, coop design and materials plan, a plan to dispose of manure in a safe and adequate manner and comply with Wisconsin Department of Agriculture, Trade and Consumer Protection's premises registration program. Upon receiving a completed application, the Health Department will notify all property owners immediately abutting the property where the chickens will be kept, including those properties diagonally abutting the subject property, including properties located across an alley but not including properties located across a street. Property owners written objections must be received within 14 working days and contain the name, address, phone number and reason for the objection.
2. Upon receipt of written objection, the application shall be denied by the Health Officer.
3. The keeping of up to 4 chickens, with a permit is allowed on single family or two family dwellings only. Permits will not be allowed on commercial or mixed-use occupancies.
4. The term "chicken" used throughout these regulations shall exclusively mean a female gallinaceous bird or hen of any age (including chicks). The term "chicken" does not include roosters or other kinds of fowl, including but not limited to, ducks, quail, grouse pheasant, turkeys, peacocks, emus, ostriches or the like.

5. Property Requirements

- a. Written permission from the property owner is required if the permit applicant does not own the property where chickens will be kept.
- b. Chickens shall not be kept or maintained upon a vacant lot, inside a residential dwelling unit including basements, porches, garages, sheds or similar storage structures.
- c. A coop shall be located in the rear yard of the license holder's residence. For purposes of these regulations, "rear yard" shall be defined by the Zoning Code Chapter 23.
- d. Coop and chicken run placement shall be at a minimum of, but not limited to, a three (3) foot setback from side and rear yard lot lines. Coop placement must be a minimum of 10 feet from any structure of the parcel. In addition, coops shall not be closer than twenty-five feet to a residential dwelling, church, school or business on an abutting lot.

6. Coop Design

- a. All chickens shall be kept and maintained within a ventilated and roofed coop in compliance with any applicable city codes.
- b. The coop's structural floor area shall be no less than three (3) square feet per bird, and the height of the coop shall not exceed eight (8) linear feet as measured vertically from the coop's grade level to the outside highest point of the coop.
- c. All coops, including an attached chicken run enclosure, shall be enclosed with wire netting or equivalent material that prevents chickens from escaping the coop and predators from entering the coop.
- d. Coops shall be built in a workmanlike manner with quality materials and shall be moisture resistant.
- e. All coop floors shall be composed of a hard, cleanable surface, e.g., painted or sealed wood, linoleum, hard plastic, and shall be resistant to rodents, therefore, a dirt floor is not acceptable.
- f. Coops shall be entirely removed from the property within thirty (30) days of a previously issued permit expiring and not being renewed.

7. Conditions for Keeping and Sanitation

- a. Not more than four (4) chickens may be kept on a property.
- b. Chickens shall be kept or maintained within a coop or attached chicken run enclosure at all times and be provided with adequate water, feed and shelter.
- c. Deceased chickens shall be disposed of immediately in a safe manner, which may include trash disposal after placing the deceased chicken in a sealed bag.
- d. ***Unusual illness or death of chickens shall be immediately reported to the Health Department.***
- e. Offsite sale of eggs is prohibited except as otherwise permitted by the State of Wisconsin and USDA.
- f. Coops and chicken runs shall be cleaned of hen droppings, uneaten feed, feathers and other waste as necessary to ensure the birds health and minimize odor and other nuisances.
- g. Feed shall be stored in containers which make the feed inaccessible to rodents, vermin, wild birds and predators.
- h. Culling of chickens kept pursuant to a permit, on the permit holder's property, is permissible.

8. Permits and Fees

- a. Permits shall be issued on an annual basis and expire on December 31st.
- b. Permits shall not be transferrable and license application fees shall not be prorated or refundable.
- c. The Health Officer, or designee thereof, is authorized to issue a permit pursuant to this section upon the applicant satisfying all requirements set forth herein and upon confirmation from Health and/or the Building Inspections Department that all set back requirements are met and all work requiring permits has been completed.

9. Enforcement

- a. Permits for the keeping of chickens are issued by the Health Department. The Health Department, Police Department and Inspections Division of the Public Works Department shall also have jurisdiction to investigate and enforce any failure to comply with these requirements. These departments may issue compliance orders and citations pursuant to these requirements and the municipal code section under which they are adopted, other sections of the municipal code that may apply and state law.
- b. Violations of these requirements may also constitute a public nuisance under the City of Appleton Municipal Code and Wisconsin Statutes.

- c. In addition to any other penalties imposed, any actual costs incurred by the City resulting from the abatement of a nuisance or other violation of these rules and regulations shall be collected by the City as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance or violation has been given to the owner, such cost shall be assessed against the real estate as a special charge.
- d. In addition to issuing citations for violations, the City shall have the right to suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.

10. Severability

- a. If any section of these rules and regulations is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.



HEALTH DEPARTMENT - 100 N Appleton St, Appleton WI 54911
Telephone: 920-832-6429 Fax: 920-832-5853
CHICKEN PERMIT APPLICATION
Effective Date XXXX

PLEASE PRINT

Date of Application: _____ Anticipated Start Date _____

Applicant Information:

Name: _____ Number of Hens: _____

Applicant Address: _____ Person in Charge of coop: _____

City/State/ZIP: _____ Property Owner Name, if Rental Property: _____

Telephone #: _____ Property Owner Address, if Rental Property: _____

E-mail Address: _____ City/State/ZIP _____

Provide a plan that includes a detailed diagram of the coop location, including setbacks and distances from nearby structures on neighboring properties; a coop design and materials plan; a plan to dispose of manure in a safe and adequate manner. Applicant must comply with the Wisconsin Dept. of Agriculture, Trade and Consumer Protection's Livestock Premises Registration Program and provide the premises number to the Health Department.*

What is your Livestock Premises Registration number? * _____

Livestock Premises Registration forms may be obtained by calling (888) 808-1910

Will the Coop be provided with Electricity? _____ YES _____ NO

Do you have an Electrical Permit? _____ YES _____ NO

Will Coop size be 50 square feet or larger? _____ YES _____ NO

Do you have a Building Permit? _____ YES _____ NO

The Building and Electrical Inspectors can be reached at: 920-832-6411

<u>Activity Code</u>	<u>Permit Description</u>	<u>Fee</u>
	Chicken Keeping Preinspection Fee:	\$145.00
	Chicken Keeping Permit	\$59.00
NOTE:	Preinspection Fee Is Non-Refundable	Total Amount Due \$

Name of Applicant (Print) _____

Signature of Applicant _____ Date _____

Drivers License Number _____

MAKE CHECK OR MONEY ORDER PAYABLE TO
SUBMIT APPLICATION AND FEE TO

CITY OF APPLETON
APPLETON HEALTH DEPT.
100 N APPLETON ST
APPLETON WI 54911-4799

OFFICE USE

Inspector Signature _____ Date _____

Start Date _____

Establishment Number (COA#) _____

License Year _____ Expires June 30, Year _____ Assigned Inspector _____

Amount Paid \$ _____ Check # _____ Account Name: _____



Health Department
Monthly Report

October 2016

I. Preventing Disease

Immunization Clinics	Current Month	Year to Date	Last Year to Date
Persons Immunized	18	121	176
Immunizations administered	56	280	383

Communicable Disease Cases	Current Month	Year to Date	Last Year to Date
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Gastroenteric

Campylobacter	0	12	13
Giardiasis	1	13	6
Salmonellosis	1	8	7
Amebiasis	0	0	0
Balantidium Coli	0	0	0
Hook Worm	0	0	0
Shigellosis	1	2	0
Yersinia	0	1	0
Strongyloides	0	0	0
Cryptosporidiosis	0	7	2
E. Coli	0	3	3
Listeriosis	0	0	0

Other Communicable Diseases	Current Month	Year to Date	Last Year to Date
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Haemophilus Influenza	0	0	0
Blastomycosis	0	1	10
Hepatitis A	0	1	0
Hepatitis B	0	1	4
Hepatitis C	7	52	38
Streptococcus pneumoniae	0	4	6
Leprosy	0	0	0
Lead Toxicity	0	0	0
Legionellosis	0	0	0
Lyme Disease	2	11	11
Ehrlichiosis / Anaplasmosis	2	2	4
Malaria	0	0	0
Bacterial Meningitis	0	0	1
Viral Meningitis	0	0	1
Invasive Group A Strep	0	1	1
Rheumatic Fever	0	0	0
Tetanus	0	0	0
Toxic Shock	0	0	0
Typhoid	0	0	0
TB: Mycobacterium	0	0	2
TB: Atypical	0	7	10
Viral Encephalitis	0	0	0
Cat Scratch Disease (Bartonella species)	0	0	0
Streptococcus group B invasive disease	1	4	7
Vibrio Cholera	0	0	0
West Nile Virus	0	0	0
Kawasaki	0	0	0
Novel Influenza	0	0	0
Hospitalized Influenza	0	15	31
Babesiosis	0	0	0

Vaccine Preventable	Current Month	Year to Date	Last Year to Date
Measles	0	0	0
Mumps	0	0	0
Pertussis	1	15	2
Rubella	0	0	0
Varicella	0	4	2

Sexually Transmitted Disease	Current Month		Year to Date		Last Year to Date	
	All Ages	≤18	All Ages	≤18	All Ages	≤18
Chlamydia	30	2	268	26	218	28
Gonorrhea	4	0	37	2	16	0
Partner/Referral Program (Contacts)	0	0	3	0	1	0
HIV	0	0	1	0	5	0
Other STD	0	0	0	0	0	0
Syphilis	1	0	8	0	0	0

Licensed Establishments	Current Month	Year to Date	Last Year to Date
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PE & D, Retail Food, Hotel/Motel, Bed & Breakfast, Manufactured Home
Community, Vending Machines, Swimming Pools, Tattoo & Body Piercing, Rec/Ed

Preinspections	2	30	54
Inspections	13	455	492
Reinspections	5	112	98
Complaints	2	26	41
Complaint Follow-ups	0	2	5
Consultations	28	446	485

Food Borne/Water Borne	Current Month	Year to Date	Last Year to Date
Number of Outbreaks	0	0	0
Number of Interviews	1	3	4
Number of symptomatic	1	3	3

Laboratory/Field Tests	Current Month	Year to Date	Last Year to Date
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Swimming Pool Water Samples

Total number of pools sampled	20	197	201
Total number of pools resampled	1	4	1
Total positive HPC	0	2	0
Total positive coliform	1	2	3

II. Protecting the Environment

Environmental Investigations	Current Month	Year to Date	Last Year to Date
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Community water supplies, private water supplies, surface water pollution, standing water nuisance, animal nuisances, rabies control, insect control, rodent control, hazardous substance control, indoor/outdoor air pollution, noise, radiation, garbage/rubbish, private residence/housing, other business (non-licensed)

Complaints	2	28	41
Complaint Follow-ups	2	16	27
Consultations	33	190	211

III. Promoting Health

Community Health Visits	Current Month	Year to Date	Last Year to Date
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Includes contact to elderly and adult clients, parents, and children for purposes of assessment, teaching, referrals, and case management

Patient Home/Telephone Visits	123	1143	893
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IV. Protecting the Consumer

Consumer Complaints	Current Month	Year to Date	Last Year to Date
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Weights and Measures, Product Labeling, and Trade Practices

Total number of consumer complaints	2	32	33
Total number found in violation	0	5	11

Type of Establishments Inspected	Current Month	Year to Date	Last Year to Date
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Food and convenience stores, restaurants, bakery and candy stores, dairy plants and stores, drug stores, hardware stores, variety stores, gas stations, salvage and recyclers, pet shops, and garden centers, industrial manufacturing plants, concrete and asphalt plants

Total number inspected	30	637	598
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Equipment and Devices Examined	Inspected			Number Not in Compliance		
	Current Month	Year to Date	Last Year to Date	Current Month	Year to Date	Last Year to Date
Scales and balances	61	535	537	1	23	19
Measures (includes gas pumps and fuel oil truck meters)	121	1,092	1,179	6	31	42
Weights	2	51	94	0	0	1
Total	184	1,678	1,810	7	54	62

Commodity Report	Current Month	Year to Date	Last Year to Date
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Total units of product investigated	2,308	80,877	76,320
Random sample size	517	11,048	10,527
Total products/units found short weight	0	2,856	2,765
Total products/units found mislabeled	0	2,177	4,368

Price Scanning Inspections	Current Month	Year to Date	Last Year to Date
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Number of inspections	2	119	103
Number of items scanned	75	3,835	3,413
Pricing errors found	1	106	113



Health Department
Monthly Report

November 2016

I. Preventing Disease

Immunization Clinics	Current Month	Year to Date	Last Year to Date
Persons Immunized	31	152	200
Immunizations administered	72	352	442

Communicable Disease Cases	Current Month	Year to Date	Last Year to Date
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Gastroenteric

Campylobacter	0	12	14
Giardiasis	0	13	8
Salmonellosis	2	10	7
Amebiasis	0	0	0
Balantidium Coli	0	0	0
Hook Worm	0	0	0
Shigellosis	0	2	0
Yersinia	0	1	0
Strongyloides	0	0	0
Cryptosporidiosis	0	7	2
E. Coli	0	3	3
Listeriosis	0	0	0

Other Communicable Diseases	Current Month	Year to Date	Last Year to Date
Haemophilus Influenza	0	0	0
Blastomycosis	0	1	10
Hepatitis A	0	1	0
Hepatitis B	1	2	4
Hepatitis C	4	56	44
Streptococcus pneumoniae	0	4	6
Leprosy	0	0	0
Lead Toxicity	0	0	0
Legionellosis	0	0	0
Lyme Disease	0	11	11
Ehrlichiosis / Anaplasmosis	0	2	4
Malaria	0	0	0
Bacterial Meningitis	0	0	1
Viral Meningitis	0	0	1
Invasive Group A Strep	0	1	1
Rheumatic Fever	0	0	0
Tetanus	0	0	0
Toxic Shock	0	0	0
Typhoid	0	0	0
TB: Mycobacterium	0	0	2
TB: Atypical	3	10	13
Viral Encephalitis	0	0	0
Cat Scratch Disease (Bartonella species)	0	0	0
Streptococcus group B invasive disease	0	4	8
Vibrio Cholera	0	0	0
West Nile Virus	0	0	0
Kawasaki	0	0	0
Novel Influenza	0	0	0
Hospitalized Influenza	1	16	31
Babesiosis	0	0	0

Vaccine Preventable	Current Month	Year to Date	Last Year to Date
Measles	0	0	0
Mumps	0	0	0
Pertussis	2	17	2
Rubella	0	0	0
Varicella	0	4	2

Sexually Transmitted Disease	Current Month		Year to Date		Last Year to Date	
	All Ages	≤18	All Ages	≤18	All Ages	≤18
Chlamydia	35	5	303	31	241	33
Gonorrhea	4	1	41	3	22	2
Partner/Referral Program (Contacts)	0	0	3	0	1	0
HIV	0	0	1	0	5	0
Other STD	0	0	0	0	0	0
Syphilis	0	0	8	0	0	0

Licensed Establishments	Current Month	Year to Date	Last Year to Date
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PE & D, Retail Food, Hotel/Motel, Bed & Breakfast, Manufactured Home
Community, Vending Machines, Swimming Pools, Tattoo & Body Piercing, Rec/Ed

Preinspections	7	37	57
Inspections	26	481	513
Reinspections	1	113	106
Complaints	2	28	45
Complaint Follow-ups	0	2	7
Consultations	38	484	516

Food Borne/Water Borne	Current Month	Year to Date	Last Year to Date
Number of Outbreaks	0	0	0
Number of Interviews	1	4	5
Number of symptomatic	1	4	4

Laboratory/Field Tests	Current Month	Year to Date	Last Year to Date
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Swimming Pool Water Samples

Total number of pools sampled	18	215	219
Total number of pools resampled	0	4	1
Total positive HPC	0	2	0
Total positive coliform	0	2	3

II. Protecting the Environment

Environmental Investigations	Current Month	Year to Date	Last Year to Date
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Community water supplies, private water supplies, surface water pollution, standing water nuisance, animal nuisances, rabies control, insect control, rodent control, hazardous substance control, indoor/outdoor air pollution, noise, radiation, garbage/rubbish, private residence/housing, other business (non-licensed)

Complaints	4	32	44
Complaint Follow-ups	1	17	29
Consultations	21	211	233

III. Promoting Health

Community Health Visits	Current Month	Year to Date	Last Year to Date
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Includes contact to elderly and adult clients, parents, and children for purposes of assessment, teaching, referrals, and case management

Patient Home/Telephone Visits	116	1259	1001
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IV. Protecting the Consumer

Consumer Complaints	Current Month	Year to Date	Last Year to Date
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Weights and Measures, Product Labeling, and Trade Practices

Total number of consumer complaints	3	35	34
Total number found in violation	0	5	11

Type of Establishments Inspected	Current Month	Year to Date	Last Year to Date
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Food and convenience stores, restaurants, bakery and candy stores, dairy plants and stores, drug stores, hardware stores, variety stores, gas stations, salvage and recyclers, pet shops, and garden centers, industrial manufacturing plants, concrete and asphalt plants

Total number inspected	45	652	574
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Equipment and Devices Examined	Inspected			Number Not in Compliance		
	Current Month	Year to Date	Last Year to Date	Current Month	Year to Date	Last Year to Date
Scales and balances	21	556	558	2	25	20
Measures (includes gas pumps and fuel oil truck meters)	5	1,097	1,185	1	32	43
Weights	2	53	96	0	0	1
Total	28	1,706	1,839	3	57	64

Commodity Report	Current Month	Year to Date	Last Year to Date
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Total units of product investigated	5,698	86,575	82,454
Random sample size	953	12,001	11,444
Total products/units found short weight	1,132	3,988	3,527
Total products/units found mislabeled	860	3,037	5,135

Price Scanning Inspections	Current Month	Year to Date	Last Year to Date
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Number of inspections	10	129	115
Number of items scanned	325	4,160	3,863
Pricing errors found	6	112	121

ENVIRONMENTAL SURVEY 2015

Total # surveys sent out 127
 surveys returned as undeliverable 0
 Surveys (assumed) received by operators 127

Completed surveys returned 32
 Percent returned 25.20%

SURVEY QUESTION	Very Satisfied	Satisfied	Somewhat Dissatisfied	Dissatisfied	totals	% Satisfied
How satisfied are you that the inspector identified him/herself and the purpose of their visit?	26	6			32	100.00%
was courteous and professional?	27	5			32	100.00%
went over the inspection report thoroughly?	27	5			32	100.00%
gave recommendations for correction of violations/errors?	26	6			32	100.00%
How satisfied are you that the inspection process used methods that fairly evaluated your business?	25	7			32	100.00%
How satisfied are you that the Environmental Health Inspection Program ensures good sanitation and food handling practices?	25	6			31	100.00%
How satisfied are you that we are inspecting often enough to ensure good sanitation and food handling practices?	26	5			31	100.00%
RESPONSE TOTALS	182	40	0	0	222	100.00%

ENTER WRITTEN COMMENTS BELOW (comments are typed exactly as written)

5. In your opinion, what, if anything, can be done to improve the inspection process to better ensure good sanitation and food handling practices?

[illegible]

6. If you rated any of the above items as “somewhat dissatisfied” or “dissatisfied” please use the space below to briefly explain the reasons for your
7. What additional suggestions, if any, do you have for improving the quality of this inspection program or our services to your business?
Continue the good work of keeping the public safe!
Completely satisfied!
She was a pleasure to work with. Detailed and courteous
Good sanitation and food handling practices are in force during the busy morning hours as well as the afternoon hours when business is slower. Therefore, afternoon
ORP vs. PPM!
1 time a school year instead of 2.
None
P.S. Very professional. Thanks
Other comments

WEIGHTS & MEASURES SURVEY 2015

Total # surveys sent out 75
unopened surveys returned as undeliverable 0
Surveys (assumed) received by operators 75

Completed surveys returned 14
Percent returned 18.67%

SURVEY QUESTION	Very Satisfied	Satisfied	Very Dissatisfied	Dissatisfied	Does Not Apply	totals	% satisfied
How satisfied are you that the inspector identified him/herself and the purpose of their visit?	10	4				14	100.00%
was courteous and professional?	10	4				14	100.00%
went over the inspection report thoroughly?	9	5				14	100.00%
gave recommendations for correction of violations/errors?	5	5			4	14	100.00%
How satisfied are you that the inspection process used methods that fairly evaluated your business?	8	6				14	100.00%
How satisfied are you that the inspection process fairly and accurately assesses the following for your business? Scales, pumps, meters and/or measures	9	3			2	14	100.00%
Price scanning and/or price control systems?	5	7			1	13	100.00%
Weighing and measuring of bulk products & packaged goods?	4	5			5	14	100.00%
Product labeling, signage and method of sale compliance?	7	5			1	13	100.00%
How satisfied are you that the W & M program ensures fairness between the business and the consumer?	8	6				14	100.00%
How satisfied are you that we are inspecting often enough to ensure fairness between the business and the consumer?	5	8				13	100.00%
TOTALS	80	58	0	0	13	151	100.00%

ENTER WRITTEN COMMENTS BELOW (comments are typed exactly as written)

5. In your opinion, What, if anything, can be done to improve the inspection process to better ensure fairness between the business and the consumer?

extended to 2 to 3 years. This is a cost savings opportunity also.

Enforcement of containers & labeling at farm markets. To many consumers being cheated by vendors.

Young lady great smile cold core!

Only thing I can think of is to scedual a time to come in then random in case of large group of customers

Be more consistent w/ the businesses assessed - this location gets assessed anually - most others never see a W&M assessment in our district

6. If you rated any of the above items as somewhat dissatisfied or dissatisfied, please use the space below to breifly explain the reasons for your dissatisfaction.

7. What additional suggestions, if any, do you have for improving the quality of this program or our services to your business?
Inspections of vehicles hauling product to markets some are nasty
None- Thank you
Other comments