

SUB. 1 TO ORD. AMDT. 8, 08-09

AMENDING CHAPTER 47 OF THE DANE COUNTY CODE OF ORDINANCES, AUTHORIZING THE ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES COMMITTEE TO REVIEW ANIMAL ABATEMENT ORDERS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 47.44 is amended to read as follows:

47.44 ABATEMENT ORDERS. (1) The Board of Health for Madison and Dane County is hereby designated and authorized, pursuant to sec. 173.03(2) of the Wisconsin Statutes, to affirm, modify, or withdraw abatement orders issued under sec. 173.11 of the Wisconsin Statutes by any humane officer or law enforcement officer.

(2) Any person named in an abatement order may appeal such order to the Board of Health for Madison and Dane County within 10 days of service of the order. The notice of appeal must state the grounds for the appeal with specificity. The Board shall schedule a hearing to be held within ten days of the receipt of the notice of appeal, unless the appellant agrees to a later date. The Board shall make reasonable efforts to notify the appellant, the officer issuing the abatement order, and any other interested party of the hearing and the opportunity to present evidence and testimony at the hearing. The hearing shall be informal in nature. Within ten days after the hearing, the Board shall determine whether to affirm, modify and affirm, or withdraw the abatement order and shall issue its decision in writing and serve it upon the appellant and other interested parties.

(3) Any person adversely affected by a decision under sub. (2) may seek judicial review by commencing an action in circuit court within 30 days after the date of the decision.