

**AN ORDINANCE  
REGULATING ANIMAL WASTE  
IN THE TOWN OF BLOOMING GROVE  
DANE COUNTY, WISCONSIN**

**ORDINANCE NO. 8.02**

THE TOWN BOARD OF THE TOWN OF BLOOMING GROVE, DANE COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

Section 1. Strict Compliance Required.

It shall be unlawful for animal waste to be left on public property or private property of another within the Town of Blooming Grove, except in strict accordance with the provisions of this Ordinance.

Section 2. Definitions.

Wherever the following terms are used in this Ordinance, they shall be construed as follows:

- (a) "Animal" includes every living warm-blooded creature except a human being.
- (b) "Animal owner" shall mean any person or entity that possesses an ownership interest in an animal.
- (c) "Animal waste" shall mean the fecal matter of any animal.
- (d) "Person in charge" shall mean any person who an animal owner has, expressly or implicitly, delegated the responsibility of controlling the animal owner's animal.
- (e) "Private property of another" shall mean any property, other than public property, in which the animal owner or person in charge does not own any interest therein or does not have the explicit permission by the property owner to leave animal waste thereon.
- (f) "Property owner" shall mean the owner of public property or private property of another.
- (g) "Public property" shall mean all property owned by the Town of Blooming Grove, including streets and alleys, and all property owned by the State of Wisconsin and the United States Government within the Town of Blooming Grove.

Section 3. Disposal of Animal Waste.

An animal owner or person in charge of any animal shall not permit the animal waste of such animal to be deposited on public property or private property of another, unless

such animal waste is immediately removed therefrom by said animal owner or person in charge. At all times when an animal is exercised on public property or private property of another, the animal owner or person in charge shall have available for use, and prominently displayed, an appropriate device for removing, containing and transporting animal waste. Animal waste may be disposed of by wrapping and placing it into an appropriate refuse container.

Animal owners and persons in charge who do not have an appropriate device for removing, containing and transporting animal waste shall, upon request of the property owner or custodian thereof, provide the property owner or custodian thereof their name, address and telephone number. Said persons shall return to the property within twenty-four (24) hours and remove the animal waste.

Section 4. Severability.

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 5. Penalty.

Any animal owner or person in charge who exercises an animal on public property or private property of another without an appropriate device for removing animal waste shall be subject to a penalty of ten dollars (\$10.00). Any person violating any other provision of this Ordinance shall be subject to a penalty of twenty-five dollars (\$25.00) and, in addition, shall pay all court costs.

Section 6. Effective Date.

This Ordinance shall take effect the day after its passage and publication.

The above and foregoing Ordinance was duly adopted by the Town Board of the Town of Blooming Grove at a regular meeting held on the 19<sup>th</sup> day of November, 1990.

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Chairman, Patricia Ampe

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Supervisor, Marlen J. Moody

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Supervisor, Stephen R. Sasso

I hereby certify that the foregoing Ordinance regarding the regulation of Animal Waste in the Town of Blooming Grove was published as a Class 1 notice under chapter 985 of the Wisconsin Statutes on the 28<sup>th</sup> day of November, 1990.

Dated: December 20, 1990

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Clerk, Barbara K. Grauvogl