

Ordinance No. 79-18  
Ordinance Repealing Designation and Service Contract for Humane Society  
and  
Revising Limits on Claims Made Against Dog License Fund

TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF  
POLK:

Ladies and Gentlemen:

1 WHEREAS, the Polk County Board of Supervisors enacted Ordinance No. 05-15 to designate Arnell  
2 Memorial Humane Society (Arnell) as the humane society for the County to provide and to authorize  
3 a four-year contract with Arnell to provide for the care, custody, treatment and disposal of dogs; and  
4

5 WHEREAS, Ordinance No. 05-15 also set monetary limits for claims that the County must pay from  
6 the dog license fund for allowed claims for damages caused by dogs to domestic animals.  
7

8 WHEREAS, under Wisconsin law, cities, villages and towns are responsible for issuing dog licenses,  
9 collecting dog license fees and enforcing the dog license law and those state laws that regulate the  
10 keeping of dogs; and  
11

12 WHEREAS, the County's designation of a county humane society prevents payment of dog license  
13 moneys to the cities, villages and towns so as to otherwise offset those costs incurred by those  
14 governmental entities to administer the dog license law and to enforce state laws that regulate the  
15 keeping of dogs;  
16

17 WHEREAS, the contract for services with Arnell expires on December 31, 2018 and is subject to  
18 renewal; and  
19

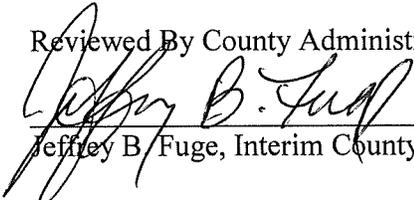
20 WHEREAS, it is in the interest of the County to allow the contract with Arnell to expire without  
21 renewal; to discontinue the designation of the county humane society; and to provide for the payment  
22 of dog license moneys collected after January 1, 2019 to cities, villages and towns.  
23

24 NOW, THEREFORE, the Polk County Board of Supervisors ordains as follows:  
25

- 26 1. Ordinance No. 05-15 is repealed.  
27
- 28 2. The previous designation of Arnell Memorial Humane Society as the county humane  
29 society shall lapse effective December 31, 2018.  
30
- 31 3. Limitation on Claims Made Against the Dog License Fund:  
32
  - 33 a. The maximum amount that may be allowed for a claim for damages by dogs to  
34 domestic animals, including loss of fair market value, injury or death, under  
35 Wisconsin Statute Section 174.11 shall be limited to \$1,000 per claim, regardless of  
36 the number of domestic animals that may be injured or killed in the incident or  
37 occurrence that gave rise to the claim.  
38



Reviewed By County Administrator:

  
Jeffrey B. Fuge, Interim County Administrator

*Fiscal Impact Note: The proposed ordinance alters the manner in which the county administers the County dog license fund by transferring the disbursement of such moneys from the county designated humane society to cities, villages and towns. If enacted, the ordinance would require the County to fund from sources other than the dog license fund expenses incurred by the County to administer the dog license fund. Allowed claims against the dog license fund will continue to be paid out of moneys in the dog license fund. Otherwise, the ordinance presents no financial impact to county operations.*

Reviewed and Approved as to Form and Execution:

  
Malia T. Malone, Assistant Corporation Counsel

*Legal Impact Note: Enactment of the proposed ordinance cancels the county's designation of a humane society and ends the contractual relationship that the County has with the Arnell Memorial Humane Society. The County Board has the discretion to enact this ordinance and end that contractual relationship. Moneys in the dog license fund for the fiscal year 2018 will be paid to Arnell Memorial Humane Society in January 2019 consistent with the current service agreement.*

Excerpt of Minutes

At its regular business meeting on the 13 day of <sup>November</sup>~~October~~, 2018, the Polk County Board of Supervisors acted on Ordinance No. 79-18: Ordinance Repealing Designation and Service Contract for Humane Society and Revising Limits on Claims Made Against Dog License Fund, as follows:

- Enacted by majority voice vote
- Enacted by simple majority of the board of supervisors by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.
- Adopted by unanimous voice vote.
- Defeated: Majority voice vote with 2 ayes for Ordinance.
- Other: \_\_\_\_\_

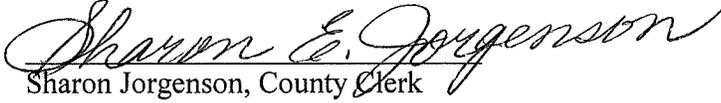
SIGNED BY:   
Dean Johansen, County Board Chairperson

ATTEST:   
Sharon Jorgenson, County Clerk

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Certification of Publication

Ord. No.79-18, as enacted the 13 day of Nov, 2018, was published in the Inter-County Leader  
on the 5 day of Dec, 2018.

  
Sharon Jorgenson, County Clerk

**CERTIFIED COPY OF POLK COUNTY ORDINANCE**

STATE OF WISCONSIN

COUNTY OF POLK

I, Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of the Polk County Ordinance No. 79-18: Ordinance Repealing Designation and Service Contract for Humane Society and Revising Limits on Claims Made Against Dog License Fund as DEFEATED by the Polk County Board of Supervisors on the 13th day of November, 2018.



Sharon E. Jorgenson, Polk County Clerk

Date

11/15/18