

## Ordinance 2022-01

### An Ordinance to Amend the Code of Price County, Chapter 223 Thereof Entitled "Animals", to add Article III Captive Cervids

Be it ordained by the Price County Board of Supervisors, as follows:

**Section 1.** Chapter 223 of the Code of the County of Price is hereby amended to add a new section, to be known as Article III as follows:

#### Article III Captive Cervids

##### § 223-45 Purpose and Intent

The purpose of this ordinance is to protect the natural deer herd of Price County from the spread of chronic wasting disease through regulation of captive cervids farms and hunting ranches in Price County. This ordinance has been created pursuant to County Board authority under Wis. Statutes Chapter 59 and 90.

##### § 223-46 Definitions

- A. Cervid – members of the Cervidae deer family (such as elk, moose and white-tailed deer).
- B. Chronic Wasting Disease (CWD) - a progressive, fatal prion disease of deer, elk, and moose that is characterized by weight loss, tremors, lack of coordination, drooling, excessive thirst, and listlessness.
- C. Deer Farm – a parcel of land in which the activity of breeding, raising, importing or exporting captive deer, elk or moose takes place.
- D. Hunting Ranch – an enclosed area consisting of at least 80 contiguous, unimpeded acres of land in which deer, elk or moose are hunted.

##### § 223-47 Fencing Standards.

- A. Adoption of Standards. In addition to the Wisconsin Statutes and other state laws adopted, there is also adopted in its entirety Wisconsin Administration Code, (NR 16.45), entitled "Farm Raised deer; white-tailed deer, specifications" including all amendments to the same.
- B. Compliance. All captive cervid operations in Price County, whether now existing at the time of enactment of this ordinance, must comply with the fencing standards specified in NR 16.45, Wis. Adm. Code.

##### § 223-48 Annual Inspection.

- A. The Price County Land Conservation and Zoning Administrator and Price County Animal Control Officer shall ensure captive cervid operations comply with all applicable fencing standards. Inspection of all captive cervids operations shall occur on at least an annual basis. A captive cervid operation may be inspected any time there is cause to believe a fence is not in compliance with standards or after a weather event that is known to have impact on fences within Price County.
- B. In the event the Price County Land Conservation and Zoning Administrator or Price County Animal Control Officer determines that a fence is out of compliance with applicable fencing standards, either department may, but is not required to, send written notice to the landowner to correct the violation within a specified time period prior to Price County initiating enforcement action.
- C. Price County retains the authority to proceed directly to enforcement through citation or the initiation of legal proceedings in the event any fence is found not to comply with applicable fencing standards.

**§ 223.49 Importation of Live Cervids.**

- A. Adoption of Standards. In addition to the Wisconsin Statutes and other state laws adopted, there is also adopted in its entirety, Agricultural, Trade and Consumer Protection (ATCP) 10.53 (“Farm-raised deer; chronic wasting disease herd status program”) and 10.56 (“Moving farm-raised deer in Wisconsin”), including all amendments to the same.
- B. Importation Requirements. Importing into Price County via any means a live cervid that is to be housed in the county is prohibited unless all of the following provisions are complied with: a. The animal comes from a herd enrolled in the Herd Status Program as specified in ATCP 10.53.
  - 1) The animal has a Certificate of Veterinary Inspection (CVI) as specified in ATCP 10.56(2-3).
  - 2) An “Affidavit Certifying Cervid Origin” is submitted demonstrating the animal comes from a location that is not within ten miles of where there is a documented case of a communicable disease in a wild or captive cervid recorded within five years prior to the animal being moved.
- C. Submission of Documentation. The documentation required per § 223.50(B)(ii), above, shall be submitted via certified mail to the Price County Clerk within thirty (30) days of the date the live cervid(s) was brought into Price County. The County Clerk shall then provide copies to the Land Conservation and Zoning Administrator and the Animal Control Officer.

**§ 223.50 Enforcement.**

This article will be enforced by the Price County Sheriff’s Office and the Price County Land Conservation and Zoning Department.

**§ 223-51 Violation and penalties.**

Anyone causing, creating or maintaining a violation of this article shall be subject to a forfeiture as provided in Chapter 290 of the County Code, together with cost of prosecution.

**Section 2. Effective date.**

This ordinance shall be effective as of date of publication.

Submitted by the Land Use / UW-Extension Committee:

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Alan Barkstrom, Chairperson

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Doug Erickson

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Paula Houdek

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Mark Kyle

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Dennis Wartgow

Reviewed by County Administrator: \_\_\_\_\_

Nicholas Trimner

Adopted by the Price County Board of Supervisors this 19<sup>th</sup> day of April 2022.

\_\_\_\_\_  
Robert D. Kopisch, County Board Chair

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Jean Gottwald, County Clerk

For \_\_\_\_\_ Against \_\_\_\_\_