

Oneida Nation

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Oneida, WI 54155

BC Resolution # 05-08-19-D

Domestic Animals Law Fine, Penalty, and Licensing Fee Schedule

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Domestic Animals law (“the Law”) was adopted by the Oneida Business Committee through resolution BC-03-13-96-B, and the amended by resolutions BC-06-22-11-G, BC-06-28-17-B, and BC-05-08-19-C; and
- WHEREAS,** the Law delegates joint authority to the Environmental, Health, Safety, and Land Division and the Environmental Resource Board to develop a fine, penalty, and licensing fee schedule; and
- WHEREAS,** the Environmental, Health, Safety, and Land Division and Environmental Resource Board jointly developed and approve this proposed fine, penalty, and licensing fee schedule; and
- WHEREAS,** the fine, penalty, and licensing fee schedule is required to be adopted by the Oneida Business Committee through resolution.

NOW THEREFORE BE IT RESOLVED, that the Environmental, Health, Safety, and Land Division and the Environmental Resource Board hereby set forth the following licensing and permit fee schedule in accordance with the Domestic Animals law:

LICENSING AND PERMIT FEE SCHEDULE				
License/Permit Type	Reference	Fee (per animal)	License/Permit Period	Location to Obtain License/Permit
Cat License	304.7-1	\$5 if spayed or neutered; or \$25	January 1 – December 31	LBDC or Oneida Conservation
Dog License	304.7-1	\$5 if spayed or neutered; or \$25	January 1 – December 31	LBDC or Oneida Conservation
Additional Dog/Cat Permit	304.7-3(b)	\$5 if spayed or neutered; or \$25	January 1 – December 31	LBDC or Oneida Conservation
Prohibited Animal Permit	304.10-4	\$50 - \$500	January 1 – December 31	LBDC or Oneida Conservation
Conditional Use Permit – Livestock	304.8-1 and 304.9-1	\$0	Permit expires when permittee resides at an	Oneida Zoning Department

and Hens on Residential Areas			address that is different than the address on the permit	
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BE IT FURTHER RESOLVED, that the Environmental, Health, Safety, and Land Division and the Environmental Resource Board hereby set forth the following fine and penalty schedule in accordance with the Domestic Animals law:

FINE AND PENALTY SCHEDULE				
Violation	Reference	1 st Offense	2 nd Offense	3 rd Offense and Up
TREATMENT OF ANIMALS				
Failure to provide food and water	304.6-1	\$75	\$150	\$500
Failure to comply with shelter standards	304.6-2(a) 304.6-2(b)	\$75	\$150	\$500
Failure to comply with space standards	304.6-2(c)	\$75	\$150	\$500
Failure to comply with sanitation standards	304.6-2(d)	\$75	\$150	\$500
Failure to comply with tethering standards	304.6-3	\$75	\$150	\$500
Mistreatment of animals	304.6-4	\$500	\$1,000	\$2,000
DOGS AND CATS				
Failure to obtain license	304.7-1	\$25	\$50	\$100
Improperly placed/ no attached license	304.7-1(c)	\$25	\$50	\$100
No current rabies vaccination	304.7-2	\$75	\$150	\$500
Exceeding limit of allowed animals (per animal)	304.7-3	\$25	\$50	\$100
Animal running at large	304.7-4	\$75	\$150	\$500
Nuisance animal	304.7-5	\$75	\$150	\$500
Failure to notify an animal bite	304.7-6	\$150	\$500	\$750
Failure to comply with ordered quarantine	304.7-6	\$150	\$500	\$750
Failure to obey district quarantine	304.7-7	\$150	\$500	\$750
LIVESTOCK				
Failure to obtain conditional use permit	304.8-1	\$75	\$150	\$500
Violates limitations on livestock based on lot size	304.8-2	\$75	\$150	\$500
Livestock at large	304.8-3	\$150	\$500	\$750
HENS				
Failure to obtain conditional use permit	304.9-1	\$75	\$150	\$500
Prohibited keeping of rooster	304.9-2	\$75	\$150	\$500
Exceeding limit of allowed hens	304.9-3	\$75	\$150	\$500
Violation of standards for keeping hens	304.9-4	\$75	\$150	\$500
Nuisance hens	304.9-5	\$75	\$150	\$500
PROHIBITED ANIMAL				
Possessing a prohibited animal	304.10-1	\$250	\$500	\$1,000
Failure to obtain prohibited animal permit	304.10-4	\$250	\$500	\$1,000
Failure to provide notice of release/escape	304.10-7	\$250	\$500	\$1,000
DANGEROUS ANIMAL				
Possessing a dangerous animal	304.11-1	\$500	\$1,000	\$2,000
Failure to remove animal from the Reservation	304.11-2(c)	\$500	\$1,000	\$2,000

	304.11-4(a)			
Failure to follow leash/muzzle requirements for dangerous animal	304.11-3(b)(1)	\$500	\$1,000	\$2,000
Failure to follow confinement requirements for dangerous animal	304.11-3(b)(2)	\$500	\$1,000	\$2,000
Failure to post required signs for dangerous animal	304.11-3(b)(3)	\$500	\$1,000	\$2,000
Failure to comply with notification requirements for dangerous animal	304.11-3(b)(4)	\$500	\$1,000	\$2,000
	304.11-4(a)(1)			
Failure to submit proof of destruction of animal	304.11-4(b)	\$150	\$300	\$500

BE IT FURTHER RESOLVED, that in addition to the fines listed above additional penalties may include seizure or impoundment of animal, restitution, costs, damages, dangerous animal determination, and destruction of animal as provided for by the Domestic Animals law.

BE IT FURTHER RESOLVED, criminal charges and referrals may be appropriate in certain cases and are not prohibited.


BE IT FURTHER RESOLVED, the issuance of a citation for a third offense or more on the fine and penalty schedule shall require the mandatory appearance of the offender at the Trial Court's citation pre-hearing.

BE IT FURTHER RESOLVED, the issuance of a citation for the mistreatment of animals shall require the mandatory appearance of the offender at the Trial Court's citation pre-hearing.

BE IT FINALLY RESOLVED, the Oneida Business Committee hereby adopts this resolution which shall become effective on May 22, 2019.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 8th day of May, 2019; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



 Lisa Summers, Secretary
 Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."