

TAXI REVIEW BOARD MEETING

INTRODUCTION

My name is Penny Bell

Today I am here with my service dog TWXT

THANK YOU: for giving audience to my comments and concerns

By the way, I have extended invitations to various organizations (such as Disability Rights—Wisconsin) and individuals to stand strong with me here today. Those disabled with service animals are tired of the problems and assume you will not consider this issue important or necessary to discuss. They are not here because they deem this committee quote “ineffective because government doesn’t really care about us.” Quote “It is a waste of time!” unquote

(Let’s begin.....)

“KNOWLEDGE MAKES YOU RESPONSIBLE”

This axiom has guided most of my adult life.

And I believe it is applicable for each of us here today.

- My knowledge about the Milwaukee taxi-cab industry is **experiential**
- Mr. Sanfellipo, from **inside** the industry: American United
- Ms. Peot: from an employment position
- Mr. Bohl: from a political position

In short, we have all heard stories about this industry.

INCIDENT 1:

My recent experience began Feb 1, 2010, when, after placing an order for a taxi thru AMERICAN LOGISTICS, the cab arrived at my home. I was waiting in my driveway, in my wheelchair, with TWXT at my side.

The cabbie, Mr. PARMINDER SINGH KHURANA (DRR-223800) exited his vehicle, screaming,

- "You dog cut me! You dog cut me!" repeatedly,
- "You dog not inside!"
- "I no take dog!"
- Hitting his vehicle numerous times,
- Pacing back and forth, in what I considered an aggressive manner.

(According to the report generated by the cab company, this ranting behavior lasted **9** minutes!)

I asked him to stay calm, my dog was just a puppy (6 months old), she will not bite, as she scurried behind my wheelchair.

During the five minutes of travel time to my destination, this loud verbal abuse continued inside the vehicle.

INCIDENT 2:

On Saturday, Feb 6, 2010, I placed an order for a cab at 11:17

Once again, while waiting in my driveway, in wheelchair, dog at my side, I saw a cab approach the intersection

closest to my home, pause, and speed off on to the express way.

I called the cab company asking if the driver was lost; I was told by the dispatcher he did not want to take me because of the dog. The dispatcher also commented, "I know; we are trying to tell him that he has to take you even if you have the dog." In the background I overheard part of the conversation: "The law says you have to take her." "You will loose your license if you don't take her." "You need to get her now!"

When I asked who the driver was, I was told **"it was the same one from the other day that gave you a hard time. We are trying to convince him to get you!"**

Well, it certainly was the same driver! When he arrived to transport us, **an hour later**, (12:19) according to the report, he boorishly ordered me into the cab, and I heard the same "You dog cut me!" all over again all the way to my destination!

INCIDENT 3:

Several weeks ago, after attending a Saturday evening worship service, I requested a will-call to return home. The driver that was originally dispatched drove past when he saw the dog, shouting out his window he was going to the medical facility a few blocks away. 10 minutes later he drove past, with no one inside the cab. I called the company—American United—again and was dispatched another cab. This again took over an hour.

OTHER INCIDENTS:

I have been stranded at both a Target store and Pick-n-Save for hours.

This conduct is not **accommodating** my guaranteed access—as a disabled person accompanied by a service animal—under the Federal ADA law or standards set forth in **Milwaukee Ordinance 100.59 -15** or WI State Statute called the **Wisconsin Public Accommodations Law**, chapter 106.54

I have been verbally intimidated on several occasions to clean the backseat from dog hair. **(PLEASE REFER TO THE COPY OF THE ADA BUSINESS BRIEF AND Dept of Justice paperwork OFFERED FOR YOUR REVIEW)**

I DO UNDERSTAND THE DOG HAIR ISSUE!

- Yes, these drivers are responsible to provide a clean area for all passengers!
- Out of respect for the religious beliefs and culture of the drivers of foreign heritage, I make sure TWXT is properly groomed for her breed
- Each time I travel with TWXT, I take along a huge beach towel to place on the seat to avoid leaving a dirty seat for the next passenger!

Well, the cabbies don't like that EITHER! "You take too much time to get in!" is the complaint!

By the way, before we went to the worship service, I made sure—just hours earlier—TWXT was groomed: clean and brushed!

Yet, the cabbie, in front of the Pastor, said, "You get brush! You clean my seat! Your dog is dirty!"

Herein is my frustration:

When I called American United to complain about the verbal intimidation again experienced, I was told by “Mike”, the General Manager (refuses to give me his last name), being coached by “Bob”, identified as the Customer Service Manager, (who also refuses to give his sur name) the following:

- that the ADA law states that any service dog must be transported on the floor of the vehicle—not on the seat.
- that the driver may refuse me transportation if I do not put the dog on the floor.
- that **IF** he refuses to provide transportation after telling me to put the dog on the floor, the driver is **still** complying with the Milwaukee Ordinances, State Statute, and Federal Law
- that if I continue to let the dog sit on the seat, American United will no longer provide transportation for me and TWXT

Knowing these demands to be absurd and that there is no such requirement made in the **Federal ADA law**, I made a quick call to Mr. Richard Pfaff, assistant manager of the License Division here at City Hall, who confirmed my suspicion: exaggerated intimidation

So back to my original statement:

KNOWLEDGE MAKES YOU RESONSIBLE

That was the knowledge part

NOW WHAT ABOUT THE RESPONSIBILITY?

I believe I have fulfilled mine but am willing to do more.

I have contacted approx 35 cities across the country from Spokane, Portland, San Bernardino, Austin, Wichita, to Alexandria, VA to find out how these communities deal with this issue.

I have spoken to Hack Inspectors, ADAs, Mayors, Police Officers, and Chairmen of Boards, such as this.

I have received return phone calls, emails, copies of Ordinances, offering suggestions and workable solutions to make Milwaukee taxi business better...to change this despicable, humiliating, illegal conduct by some SOME cabbies.

There are several novel approaches to rectifying this problem:

- rewards for good behavior
- monetary incentives
- phone banks for complaints
- complaint forms available for passengers inside the vehicles imprinted with the specific cabbie identification information
- more companies allowed to provide rotating service, and many more.

Most often, though, either enforcement of punishment in the form of license revocation or suspension or frequent, required re-education review seem to improve the climate of relationships between the disabled person accompanied by a service dog and the taxi cab company/driver.

But I am in favor of more education! I would like to see improvement of conduct because of knowledge not as the after-the-fact of punishment!

Let's encourage manners, politeness, and decency through understanding! So we won't have to resort to penalty! Every culture should be able to understand that concept!

AND I have a very simple solution for the hair-on-the-seat problem.

A BLANKET!

If the cab drivers can purchase cup holders, hand sanitizer, and other items for passengers to keep their vehicles neat and tidy,

Why can't THEY provide a blanket, put it on the seat BEFORE I enter?

Then they can stop all their griping can cease!

WHY CAN'T THE CABBIES BECOME PART OF THE SOLUTION?

RE: MR. KHURANA:

I do not wish that this man lose his livelihood or suffer grave financial loss as punishment for his conduct. A small fine would be appropriate.

I do expect some sort of reprimand be given and permanently affixed to his personnel file.


I do hope that through a remedial education program, he becomes more sensitive to the needs of disabled people so that his conduct will reflect the standards of Milwaukee's best!

With regard to American United and the other taxi services in this area, I expect:

- The intimidation and threats to end
- Patience for disabled passengers to be practiced

- Educational programs be instituted to meet compliance with understanding
- An open-door policy made available for discussion for improvement
- Effort put forth for new, practical solutions for issue that arise **INSTEAD OF IGNORING THE PROBLEM**

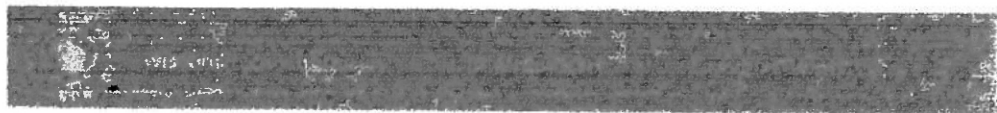
**THANK YOU FOR LISTENING
ARE THERE ANY QUESTIONS?**

*as reported
in Muslim
Driver vs* 

These practices

*have been known
and left unacknowledged by Am Uu
since 2007!*

*proof in the document
lacking you have been given*



Department of Health & Family Services

Topics A-Z | Programs & Services | Partners & Providers | Reference Center | Search

Disabilities Homepage

Aging and Disability Resource Centers

Assistive Technology

Benefit Specialists

Community Integration Initiative

Independent Living Centers

Long Term Care Programs

The Americans with Disabilities Act (ADA) and People with Physical Disabilities

How Does ADA Define *Disability*?

The Americans with Disabilities Act (ADA) has a three-part definition of *disability*. Under ADA, an individual with a disability is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; OR (2) has a record of such an impairment; OR (3) is regarded as having such an impairment.

A physical impairment is defined by ADA as "any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine."

Neither ADA nor the regulations that implement it list all the diseases or conditions that are covered, because it would be impossible to provide a comprehensive list, given the variety of possible impairments.

Last Revised: January 30, 2006



[Back to top](#) | [About](#) | [Contact](#) | [Disclaimer](#) | [Privacy Notice](#) | [Feedback](#)

Wisconsin Department of Health and Family Services

Protecting and promoting the health and safety of the people of Wisconsin

Public Passenger Vehicle Regulations 100-60

13. **TRIP RECORDS.** Prior to starting any shift, every driver shall fill in on the trip record his or her name, the shift date and start time, and the vehicle permit number. Every driver shall complete in real time on a daily basis trip records, approved by the police department as to format, which shall show the date, time and place each passenger was picked up and the date, time and place each passenger was discharged. The permittee shall retain trip records for at least 90 days, and the original records shall be readily available for inspection upon request by the police department.

14. DAILY SAFETY CHECKLIST.

a. Every public passenger vehicle driver prior to the beginning of each shift shall inspect the vehicle to make sure that all equipment on the vehicle is operable and in good working condition and that the vehicle is maintained in a reasonably clean condition on the inside and outside.

b. Every public passenger vehicle driver shall keep in the vehicle a daily safety checklist ensuring that the items listed in par. c have been inspected and are in good working order and by the public passenger vehicle permit holder properly placed in or on the vehicle. The checklist shall be kept for at least 14 days by the public passenger vehicle permit holder and be readily available for inspection upon request by the police department.

c. The daily safety checklist shall include the following items:

- c-1. Meter seal.
- c-2. Rate/complaint placard.
- c-3. Clean interior/exterior.
- c-4. Seat belts.
- c-5. Horn.
- c-6. Spare tire (inflated).
- c-7. Heater/defroster/air conditioner.
- c-8. Windshield (in compliance with s. Trans 305.34, Wis. Adm. Code, as amended).
- c-9. Windshield wipers/blades.
- c-10. Head lamps/tail, turn, brake, hazard lights.
- c-11. Tires.
- c-12. Wheels/rims.
- c-13. Body of vehicle.
- c-14. Upholstery.

15. **SERVICE TO DISABLED PASSENGERS.** No owner or driver of a public passenger vehicle or agent of an owner or

driver of a public passenger vehicle shall decline service to those passengers who are disabled or those with service animals or wheelchairs.

100-60. Additional Operating Regulations.

1. **METER FARE TAXICABS.** a. **Taxi Stand Use.** a-1. No taxicab standing at the head of a taxi stand line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from selecting any taxicab he or she may desire on the stand whether it be at the head of the line or not.

a-2. As the taxicabs leave the line with passengers, those behind shall move up, and any taxicab seeking a place on the stand shall approach the same only from the rear of the stand and shall stop as near as possible to the last taxicab already on the line. No taxicab shall stand within 5 feet of any crosswalk.

b. **Radio Service Prohibited.** b-1. No person may provide radio service to any unlicensed taxicab or taxicab whose license has been suspended or revoked.

b-2. **Penalty.** Any person violating subd. 1 shall be subject to the penalty provided in s. 100-62-2.

c. **Double Loading.** Double loading is prohibited unless expressly authorized by the first passenger. No driver may plant, or permit to be planted, any person for the purpose of assuming the role of a first passenger to attempt to evade the provisions of this paragraph. Any person consenting to act as a plant for the purpose of falsely assuming the role of a first passenger shall be considered with the driver to be violating this paragraph.

d. **Maximum Period.** A driver of a taxicab shall respond to a service request within 30 minutes upon receiving the request.

2. HORSE AND SURREY LIVERY.

a. **Hours of Operation.** Unless otherwise authorized by the chief of police, no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6 p.m. on weekdays, except during the months of November, December, January and February, when no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6:30 p.m. on weekdays.

b. **Sanitation.** No driver of a horse and surrey livery may permit urine or fecal matter of such animal to remain on any street,

CHAPTER 951

CRIMES AGAINST ANIMALS

951.01	Definitions.	951.09	Shooting at caged or stalked animals.
951.015	Construction and application.	951.095	Harassment of police and fire animals.
951.02	Mistreating animals.	951.097	Harassment of service dogs.
951.025	Decompression prohibited.	951.10	Sale of baby rabbits, chicks and other fowl.
951.03	Dognapping and catnapping.	951.11	Artificially colored animals, stat.
951.04	Leading animal from motor vehicle.	951.13	Providing proper food and drink to confined animals.
951.05	Transportation of animals.	951.14	Providing proper shelter.
951.06	Use of poisonous and controlled substances.	951.15	Abandoning animals.
951.07	Use of certain devices prohibited.	951.18	Penalties.
951.08	Instigating fights between animals.		

Cross Reference: See definitions in s. 939.22.

951.01 Definitions. In this chapter:

(1) "Animal" includes every living:

- (a) Warm-blooded creature, except a human being;
- (b) Reptile; or
- (c) Amphibian.

(1m) "Conservation warden" means a warden appointed under s. 23.10.

(2) "Cruel" means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.

(3) "Farm animal" means any warm-blooded animal normally raised on farms in the United States and used or intended for use as food or fiber.

(3a) "Humane officer" means an officer appointed under s. 173.03.

(3f) "Fire department" includes a volunteer fire department and a department under s. 61.66.

(3m) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

(4) "Law enforcement officer" has the meaning assigned under s. 967.02 (5) but does not include a conservation warden appointed under s. 23.10.

(5) "Service dog" means a dog that is trained for the purpose of assisting a person with a sensory, mental, or physical disability or accommodating such a disability.

History: 1973 c. 314; 1983 a. 189; 1987 a. 248; 1987 a. 332 s. 54; Stats. 1987 s. 951.01; 1989 a. 223; 1997 a. 27, 192; 1999 a. 83; 2001 a. 56; 2005 a. 353.

Legislative Council Note, 1973: The definition of "animal" is based on s. 346.20, Minn. Stats. Annot. (1971). The term includes not only animals strictly so-called but birds and other living warmblooded creatures except people. (Bill 16-S)

951.015 Construction and application. (1) This chapter may not be interpreted as controverting any law regulating wild animals that are subject to regulation under ch. 169, the taking of wild animals, as defined in s. 29.001 (90), or the slaughter of animals by persons acting under state or federal law.

(2) For purposes of enforcing this chapter as to wild animals subject to regulation under ch. 169, a conservation warden has the same powers and duties that a law enforcement officer has under this chapter.

History: 1973 c. 314; 1983 a. 27 s. 2202 (38); 1987 a. 332 a. 54; Stats. 1987 s. 951.015; 1997 a. 248; 2001 a. 56.

951.02 Mistreating animals. No person may treat any animal, whether belonging to the person or another, in a cruel manner. This section does not prohibit bona fide experiments carried on for scientific research or normal and accepted veterinary practices.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.02; 1993 a. 486.

Conviction under this section does not require proof of intent or negligence. State v. Stanfield, 105 Wis. 2d 553, 314 N.W.2d 339 (1982).

951.025 Decompression prohibited. No person may kill an animal by means of decompression.

History: 1985 a. 48; 1987 a. 332 s. 54; Stats. 1987 s. 951.025.

951.03 Dognapping and catnapping. No person may take the dog or cat of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of this state or held for any purpose without the owner's consent. This section does not apply to law enforcement officers or humane officers engaged in the exercise of their official duties.

History: 1973 c. 314 s. 4; Stats. 1973 s. 948.03; 1987 a. 332 s. 54; Stats. 1987 s. 951.03; 1997 a. 192.

951.04 Leading animal from motor vehicle. No person shall lead any animal upon a highway from a motor vehicle or from a trailer or semitrailer drawn by a motor vehicle.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.04.

951.05 Transportation of animals. No person may transport any animal in or upon any vehicle in a cruel manner.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.05.

951.06 Use of poisonous and controlled substances. No person may expose any domestic animal owned by another to any known poisonous substance, any controlled substance included in schedule I, II, III, IV or V of ch. 961, or any controlled substance analog of a controlled substance included in schedule I or II of ch. 961, whether mixed with meat or other food or not, so that the substance is liable to be eaten by the animal and for the purpose of harming the animal. This section shall not apply to poison used on one's own premises and designed for the purpose of rodent or pest extermination nor to the use of a controlled substance in bona fide experiments carried on for scientific research or in accepted veterinary practices.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.06; 1995 a. 448.

951.07 Use of certain devices prohibited. No person may directly or indirectly, or by aiding, abetting or permitting the doing thereof, either put, place, fasten, use or fix upon or to any animal used or readied for use for a work purpose or for use in an exhibition, competition, rodeo, circus or other performance, any of the following devices: a bristle bur, tack bur or like device; or a poling device used to train a horse to jump which is charged with electricity or to which have been affixed nails, tacks or other sharp points.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.07.

951.08 Instigating fights between animals. (1) No person may intentionally instigate, promote, aid or abet as a principal, agent or employee, or participate in the earnings from, or intentionally maintain or allow any place to be used for a cockfight, dog fight, bullfight or other fight between the same or different kinds of animals or between an animal and a person. This section does not prohibit events or exhibitions commonly featured at rodeos or bloodless bullfights.

(2) No person may own, possess, keep or train any animal with the intent that the animal be engaged in an exhibition of fighting.

(2m) If a person has been convicted under sub. (1) or (2), the person may not own, possess, keep or train any animal for a period of 5 years after the conviction. In computing the 5-year period, time which the person spent in actual confinement serving a criminal sentence shall be excluded. The person may move the sentence

ing court to have this requirement waived. The court may waive the requirement except that the waiver may not authorize the person to own, possess, keep or train animals of the species involved in the offense under sub. (1) or (2).

(3) No person may intentionally be a spectator at a cockfight, dog fight, bullfight or other fight between the same or different kinds of animals or between an animal and a person.

History: 1973 c. 314; 1981 c. 160; 1983 a. 95; 1987 a. 332 s. 54; Stats. 1987 s. 951.08.

951.09 Shooting at caged or staked animals. (1) No person may shoot, kill, or wound with a firearm, or with any deadly weapon, any animal that is tied, staked out, caged or otherwise intentionally confined in an artificial enclosure, regardless of size.

(2) (a) Whoever is concerned in the commission of a violation of this section is a principal and may be charged with and convicted of the violation although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation.

(b) A person is concerned in the commission of a violation of this section under par. (a) if the person does any of the following:

1. Instigates, promotes, aids, or abets the violation as a principal, agent, employee, participant, or spectator.
2. Participates in any earnings from the commission of the violation.
3. Intentionally maintains or allows any place to be used for the commission of the violation.

(3) This section does not apply to any of the following animals:

(b) A captive wild bird that is shot, killed, or wounded on a bird hunting preserve licensed under s. 169.19.

(c) Farm-raised deer, as defined in s. 95.001 (1) (ag).

(d) Animals that are treated in accordance with normally acceptable husbandry practices.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.09; 2001 a. 56.

951.095 Harassment of police and fire animals. (1) No person may do any of the following to any animal that is used by a law enforcement agency or fire department to perform agency or department functions or duties:

- (a) Frighten, intimidate, threaten, abuse or harass the animal.
- (b) Strike, shove, kick or otherwise subject the animal to physical contact.
- (c) Strike the animal by using a dangerous weapon.

(2) Subsection (1) does not apply to any of the following:

- (a) Any act that is performed by or with the authorization of the animal's handler or rider.
- (b) Any act that is necessary for the training of an animal to perform functions or duties for a law enforcement agency.

History: 1993 a. 192; 1997 a. 27.

951.097 Harassment of service dogs. (1) (a) Any person may provide notice to another person in any manner that the latter person's behavior is interfering with the use of a service dog and may request that the latter person stop engaging in that behavior.

(b) No person, after receiving a notice and request under par. (a) regarding a service dog, may do any of the following:

1. Recklessly interfere with the use of the service dog by obstructing or intimidating it or otherwise jeopardizing its safety or the safety of its user.

2. Intentionally interfere with the use of the service dog by obstructing or intimidating it or otherwise jeopardizing its safety or the safety of its user.

(2) (a) No person may recklessly allow his or her dog to interfere with the use of a service dog by obstructing or intimidating it or otherwise jeopardizing its safety or the safety of its user.

(b) No person may intentionally allow his or her dog to interfere with the use of a service dog by obstructing or intimidating it or otherwise jeopardizing its safety or the safety of its user.

(3) (a) No person may recklessly injure a service dog or recklessly allow his or her dog to injure a service dog.

(b) No person may intentionally injure a service dog or intentionally allow his or her dog to injure a service dog.

(4) (a) No person may recklessly cause the death of a service dog.

(b) No person may intentionally cause the death of a service dog.

(5) No person may take possession of or exert control over a service dog without the consent of its owner or user and with the intent to deprive another of the use of the service dog.

History: 2005 a. 353.

951.10 Sale of baby rabbits, chicks and other fowl.

(1) No person may sell, offer for sale, barter or give away living chicks, ducklings or other fowl unless the person provides proper brooder facilities for the care of such chicks, ducklings or other fowl during the time they are in the person's possession.

(2) No retailer, as defined in s. 100.30 (2) (e), may sell, offer for sale, barter or give away living baby rabbits, baby chicks, ducklings or other fowl under 2 months of age in any quantity less than 6 unless in the business of selling these animals for agricultural, wildlife or scientific purposes.

History: 1973 c. 314; 1979 c. 34 s. 2102 (3) (a); 1979 c. 176; 1983 a. 189 s. 329 (20); 1987 a. 332 s. 54; Stats. 1987 s. 951.10; 1993 a. 486.

951.11 Artificially colored animals; sale. No person may sell, offer for sale, raffle, give as a prize or premium, use as an advertising device or display living chicks, ducklings, other fowl or rabbits that have been dyed or otherwise colored artificially.

History: 1973 c. 314; 1987 a. 332 s. 54; Stats. 1987 s. 951.11.

951.13 Providing proper food and drink to confined animals. No person owning or responsible for confining or impounding any animal may fail to supply the animal with a sufficient supply of food and water as prescribed in this section.

(1) **FOOD.** The food shall be sufficient to maintain all animals in good health.

(2) **WATER.** If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

History: 1973 c. 314; 1983 a. 95; 1987 a. 332 s. 54; Stats. 1987 s. 951.13.

951.14 Providing proper shelter. No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this section. In the case of farm animals, nothing in this section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.

(1) **INDOOR STANDARDS.** Minimum indoor standards of shelter shall include:

(a) *Ambient temperatures.* The ambient temperature shall be compatible with the health of the animal.

(b) *Ventilation.* Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.

(2) **OUTDOOR STANDARDS.** Minimum outdoor standards of shelter shall include:

(a) *Shelter from sunlight.* When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph, "caged" does not include farm fencing used to confine farm animals.

(b) *Shelter from inclement weather.* 1. "Animals generally." Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal.