

19.03 – REGULATION AND LICENSING OF DOGS AND CATS

- 1) **DOG LICENSE REQUIRED.** It shall be unlawful for any person in the Village to own, harbor or keep any dog more than 5 months of age without complying with the provisions of this section and §174.05 through 174.10, Wis. Stats., relating to the listing, licensing and tagging of same.
- 2) **LICENSE FEES.** The license fee for a dog shall be set by the Village Board on an annual basis.
- 3) **LATE FEES.** The Village Treasurer shall assess and collect a late fee, to be set by the Village Board in its annual fee schedule, from every owner of a dog 5 months of age or older if the owner failed to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of a licensable dog, or if the owner failed to obtain a license before the dog reached licensable age.
- 4) **KENNEL LICENSE OPTION.** The owners of kennels may opt to pay a kennel license fee for a kennel of 12 dogs or less a fee for each dog in excess of 12 in lieu of the fees provided in sub. (2) above and the Village Treasurer shall issue tags for each dog owned by the kennel owners. After the effective date of this section, no kennel may be located in a residential district, except upon issuance of a conditional use permit by the Village Board. Fees shall be set by the Village Board in its annual fee schedule.
- 5) **RABIES VACCINATION REQUIRED.** It shall be unlawful for any person to keep a dog in the Village which is over 5 months of age and has not received a rabies vaccination as required by §95.21(2), Wis. Stats. No dog license shall be issued until a certificate of rabies vaccination issued by a veterinarian has been presented. A rabies vaccination tag shall be attached to the collar of all licensed dogs at all times, except as provided in §95.21(2)(f), Wis. Stats.

6) DEFINITIONS. In this section, unless the context of subject matter otherwise requires, the terms used shall be defined as follows:

- a) Owner. Any person owning, harboring or keeping a dog and the occupant of any premises on which the dog remains or to which it customarily returns daily for a period of 10 days is presumed to be harboring or keeping the dog within the meaning of this section.
- b) At Large. A dog which is off the premises of the owner and not under the control of some person by a leash not more than five feet in length which is of sufficient strength to restrain the dog, and the leash is held by a person competent to govern the dog and prevent it from annoying or worrying pedestrians and cyclists or trespassing on private property or trespassing on public property where such dogs are forbidden. An animal within an automobile of any other person with the consent of the animal's owner shall be considered to be upon the owner's premise but must be restrained so the animal cannot reach out past the boundaries of the vehicle. It is no defense that the owner of the dog was unaware the dog was not confined.
- c) Kennel. Any establishment wherein dogs are kept for the purpose of breeding, sale or sporting purposes.

7) RESTRICTIONS ON KEEPING OF DOGS. It shall be unlawful for any person within the Village to own, harbor or keep any dog which:

- a) Habitually pursues vehicles upon any street, alley or highway.
- b) Molests passersby or assaults or attacks any person without provocation.
- c) Is at large within the limits of the Village.
- d) Habitually barks or howls to the annoyance of any person or persons. This paragraph shall not apply to hospitals conducted

for the treatment of small animals or to the premises occupied or used by the Village Pound.

e) Kills, wounds or worries any domestic animal.

8) DOGS AND CATS RUNNING AT LARGE AND UNTAGGED DOGS.

a) Dogs Running at Large. It shall be unlawful for any dog or cat to run at large within the village. Any dog or cat within the village while off the premises of the owner shall be considered for the purpose of this article to be running at large, with the exception of the following:

1. It is attached to a leash not more than five (5) feet in length which is of sufficient strength to restrain the dog or cat, and the leash is held by a person competent to govern the dog or cat and prevent it from annoying or worrying pedestrians or cyclists or trespassing on private property or trespassing on public property where such animals are forbidden.
2. When within a vehicle being driven, parked or stopped, the dog or cat must be restrained so the animal cannot reach out past the boundaries of the vehicle.
3. It is no defense that the owner of the dog or cat was unaware the dog or cat was not confined.

b) Untagged Dogs. A dog is considered to be untagged if a valid license tag is not attached to a collar which is kept on the dog whenever the dog is outdoors unless the dog is securely confined in a fenced area.

c) Dogs Subject to Impoundment. Police officers shall attempt to capture and restrain any dog running at large and any untagged dog.

- d) Penalties. If the owner of a dog, negligently or otherwise, permits the dog to run at large, or permits a dog to be untagged, the owner shall forfeit \$50 for the first offense and \$100 for the second offense, together with the cost of prosecution and with any cost of securing the animal and, in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding 90 days.
- 9) DUTY TO REPORT ANIMAL BITE. Every person, including the owner or person harboring or keeping a dog or other animal, who knows that such animal has bitten any person shall immediately report such fact to the County Sheriff.
- 10) QUARANTINE OR SACRIFICE OF ANIMALS SUSPECTED OF BITING A PERSON OR BEING INFECTED WITH RABIES.
- a) Quarantine or Sacrifice of Animal. The County Health Officer or a peace officer may order a dog or other animal quarantined if he has reason to believe that the animal bit a person, is infected with rabies or has been in contact with a rabid animal. If a quarantine cannot be imposed because the animal cannot be captured, the officer may kill the animal. The officer may kill an animal only as a last resort or if the owner agrees. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.
- b) Quarantine Order. If a quarantine is ordered, the owner of the dog shall be subject to the provisions of §95.21(5), (6) and (8), Wis. Stats.
- 11) NUMBER OF DOGS PER HOUSEHOLD LIMITED. No person or organization, except a kennel licensee or licensed Humane Society location, shall own, harbor or keep more than 3 dogs that are more

than 5 months of age. No kennel license shall be issued in any residential district or within 100 feet of any residential district. If a total of more than 3 dogs are owned, harbored or kept in or by anyone household, the head of the household shall be deemed the person so owning, harboring or keeping such animals, notwithstanding that the dog license or licenses may be issued to other members of the household as owners of such animals. Persons who have more than 3 dogs which are licensed on the effective date of this section are exempt from the provisions of this section; however, no further licenses shall be issued until fewer than 3 dogs are owned, harbored or kept in the household.

12) **SETTING ANIMALS AT LARGE PROHIBITED.** No person shall open any door or gate of any private premises for the purpose of setting any dog or other animal at large, except the owner of such animal.

13) **IMPOUNDING AND DISPOSITION OF DOGS.**

a) Impounding of Dogs. A police officer or other person restraining a dog running at large shall take such animal to a pound designated by the village Board. The police officer shall attempt to identify the dog and notify the owner and shall keep a public record of all such dogs impounded. (b) Release of Dog to Owner or Representative. The pound may release the dog to the owner or his representative if the owner or representative does all of the following:

1. Gives his name and address.
2. Presents evidence that the dog is licensed and vaccinated against rabies.
3. Pays the dog's boarding fee.

b) Release of Dog to Person Other Than Owner. If the owner of the dog is unknown or does not reclaim the dog within 7 days,

the pound may release the dog to a person other than the owner if such person does all of the following:

1. Gives his name and address.
2. Signs a statement agreeing to license the dog and have the dog vaccinated against rabies.

14) CONFINEMENT GENERALLY.

- a) No person shall tie, stake or fasten any dog within any street, alley, sidewalk or other public place within the Village, or in such a manner that the animal has access to any portion of any street, alley, sidewalk or other public or private property.
- b) Every female dog or cat in heat shall be confined in a building or secure enclosure in such manner that such female dog or cat cannot come into contact with another animal except for planned breeding, provided, however, such dog or cat may be kept on a leash when under the supervision of a responsible person.

15) PENALTIES. In addition to other penalties provided in this section, the following penalties are imposed:

- a) Failure to Obtain Rabies Vaccination. A dog owner who fails to have a dog vaccinated against rabies, as provided in this section, shall, upon conviction, forfeit not less than \$50 nor more than \$100.
- b) Refusal to Comply with Quarantine Order. An owner of a dog or other animal who refuses to comply with an order issued under this section to deliver the animal to a police officer, the pound designated by the Village Board, or veterinarian, or who does not comply with the conditions of an order that the animal be

quarantined, shall, upon conviction, forfeit not less than \$100 nor more than \$500.