

Animal Control Ordinance

This ordinance is to establish the minimum requirements for animal control with exception of farm livestock.

**WHEREAS**, the Town Board of the Town of Dewhurst, Clark County, Wisconsin has the authority to regulate matters affecting the health, safety and general welfare of its residents and has adopted township power to enact this ordinance; and

**WHEREAS**, The Town deems it expedient and necessary to establish certain requirements with respect to animal control;

**NOW THEREFORE**, The Town Board of the Town of Dewhurst do ordain as follows:

**REGULATION AND LICENSING OF DOGS: Section 1-15**

1. **DOG LICENSE REQUIRED.** It shall be unlawful for any person in the Town of Dewhurst to own, harbor or keep any dog more than five (5) months of age without complying with the provisions of this ordinance and Wisconsin State Statute 174.10 related to listing licensing and tagging of the same.

2. **LICENSE FEE.** The license fee for a dog shall be as follows:

- A. Unneutered Male Dog Per fee schedule
- B. Unspayed Female Dog Per fee schedule
- C. Neutered Male Dog Per fee schedule
- D. Spayed Female Dog Per fee schedule

The Town Board reserves the option of adjusting the Attachment A, fee schedule.

3. **LATE FEES.** The Town Treasurer shall assess and collect a late fee per the fee schedule from every owner of a dog five (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 a licensable age.

4. **CHANGE OF OWNERSHIP.** If there is a change in ownership of a licensed dog or kennel during the license year, the owner may have the current license transferred to his/her name upon the payment of a transfer fee per the fee schedule, if applicable

5. **TRANSFER PROHIBITED.** No person shall use any animal license or rabies receipt or license or rabies tag issued for another animal.

6. KENNEL LICENSE OPTION. The owner of kennels may opt to pay a kennel license fee per the fee schedule in lieu of the fees provided in sub. 2 above and the Town Treasurer shall issue tags for each dog owned by the kennel owners. Kennel operating permits shall be issued by the Town Board.

7. RABIES VACCINATION REQUIRED. It shall be unlawful for any person to keep a dog in the Town of Dewhurst which is over five (5) months of age and has not received a rabies vaccination as required by State Statute 95.21(2). No dog license shall be issued until a certificate of rabies vaccination issued by a licensed 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 WI State Statute 95.21(2)(f).

8. DEFINITIONS.

- A. OWNER-Any person owning, harboring or keeping a dog and the occupant of any premises on which the dog remains or which is customarily returned daily for a period of 19 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 premise of the owner and not under the control of some person either by leash or otherwise, but an animal within an automobile of any other person with the consent of the animal's owner shall be deemed to be upon the owner's premises
- C. KENNEL-Any establishment wherein dogs are kept for the purpose of breeding, sale or for sporting purposes.

9. RESTRICTIONS ON KEEPING DOGS. It shall be unlawful for any person within the Town of Dewhurst to own, harbor or keep a dog which:

- A. Habitually pursues vehicles upon any street or highway
- B. Molests passerby(s) or assaults or attacks a person without provocation
- C. Is at large within the limits of the Town of Dewhurst
- D. Habitually barks or howls to the annoyance of any person or persons.
- E. Kills, wounds or harasses any domestic or wild animal.

10. DOGS RUNNING AT LARGE AND UNTAGGED DOGS.

- A. DOGS RUNNING AT LARGE. A dog is considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person, as defined in sub.(8)(b).
- 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 confined in a fenced area.
- C. DOGS SUBJECT TO IMPOUNDMENT. The Clark County Sheriff or Clark County Humane Society or any peace officer shall attempt to capture and restrain any dog running at large.
- 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 subsequent offenses. Additionally, the owner will be charged any charges by the appointed Town of Dewhurst Chairman or his/her designee..

11. 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 a fact to the Clark County Sheriff's Department.

12. QUARANTINE OR SACRIFICE OF ANIMALS SUSPECTED OF BITING A PERSON OR BEING INFECTED WITH RABIES.

- A. QUARANTINE OR SACRIFICE OF ANIMAL. The Clark County Sheriff or County Health Officer may order a dog or other animal quarantined if there is reason to believe that the animal that bit a person, is infected with rabies or has been in contact with a rabid animal. If quarantine cannot be imposed because the animal cannot be captured, the officer may kill the animal. The officer may kill the 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 State Statute 95.21 (5), (6) and (8).

13. SETTING ANIMALS LOOSE 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 said animal. Violations will be followed up by the Clark County Sheriff.

14. IMPOUNDING AND DISPOSITION OF DOGS.

- A. IMPOUNDING OF DOGS. The Clark County Sheriff or Clark County Humane Society Officer or any person restraining a dog running at large shall take such animals to the County Humane Society. The Officer shall attempt to identify the dog and notify the owner and keep a public record of all such dogs impounded.
- B. RELEASE OF DOG TO OWNER OR REPRESENTATIVE. The Humane Society may release the dog to the owner if the owner or representative: 1) give his name and address and copy of Driver's License 2) presents evidence the dog is licensed and vaccinated against rabies and 3) pays any dog's boarding fee(s).
- C. RELEASE OF DOG TO PERSON OTHER THAN OWNER. If the owner of the dog is unknown or does not reclaim the dog within seven (7) days the Humane Society may release the dog to a person other than the owner if such person: 1) gives name, address and copy of Driver's License and 2) signs a statement agreeing to license the dog and have the dog vaccinated against rabies and spayed or neutered.

15. PENALTIES. In addition to other penalties provided in this document, Section 15 includes the following:

- 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. Further refusal to vaccinate dogs will result in fines doubling. All court cost and legal fees will be the responsibility of said dog owner.
- B. REFUSAL TO COMPLY WITH QUARANTINE ORDER. An owner of a dog or other animal who refuses to comply with an ordered issued under this section to deliver the animal to the Clark County Sheriff, the Clark County Humane Society or designated veterinarian, or who does not comply with the conditions of an order the animal be quarantined,

shall upon conviction, forfeit no less than \$100 or more than \$500. Further refusal to quarantine will result in fines doubling. Court cost and legal fees will be the responsibility of said dog owner.

- C. COSTS ASSOCIATED WITH CAPTURING EITHER A LICENSED OR UNLICENSED DOG WHO IS RUNNING AT LARGE OR WHO HAS BECOME LOST. The owner of any dog who is running at large or that the Sheriff or HUmane Society Officer must find and retrieve shall be responsible for any costs incurred by the Town of Dewhurst for the Retrieval.
- D. PENALTIES FOR RESTRICTIONS ON KEEPING DOGS. Pursuant to Section 9, A,B,C,D and E. First offense will be a warning issued by Clark County Sheriff, Humane Society or Town of Dewhurst Chairperson or designee. Fines - Second offense, \$250. Third offense, \$500, Fourth offense, Clark County Humane Society will be contacted to Remove said animal (s) from premises.

PASSED AND ADOPTED THIS 10TH DAY OF NOVEMBER 2022

BY: \_\_\_\_\_  
CHAIRMAN

ATTESTATION

BY: \_\_\_\_\_  
CLERK

APPROVED:

BY: \_\_\_\_\_  
SUPERVISOR

BY: \_\_\_\_\_  
SUPERVISOR

## ATTACHMENT # 1

### FEES

1. Dog Licensing

- Neutered or Spayed - \$3.00
- Not Neutered or Spayed - \$8.00
- Puppies (under 5 months or kennels) - \$4.00/animal

2. Delinquent Licensing of Dogs

- All fees for licenses for unlicensed animals will be doubled