

**TITLE 2 - COMMUNITY PROTECTION**

**DIVISION 1 - LAW ENFORCEMENT**

**CHAPTER 3 - ANIMAL CONTROL**

**ARTICLE 2 - ANIMAL CONTROL REGULATIONS**

**2.1-3.0205 PURPOSE.** The purpose of this Article is to regulate and control dogs, cats and other animals within the limits of the Town and to safeguard and protect property and the general public and to provide regulations to prevent cruelty to all animals.

**2.1-3.0210 DEFINITIONS.** Unless the context requires otherwise, the following definitions shall apply:

A. Animal: means a living creature, not human, and being either domestic or wild.

B. Animal Shelter: means the animal shelter operation of the Eau Claire County Humane Association which is the designated place for the proper care of impounded animals held under the authority of this Article.

C. At Large: means an animal off the premises of the owner. An animal properly licensed as required by this Article shall not be deemed at large if such animal: (1) is on the premises of the owner; (2) is under the control of a person competent to restrain and control the animal, either by leash, cord, chain or other similar restraint not more than ten (10) feet in length or properly restrained within a motor vehicle; or (3) is properly housed in a veterinary hospital or licensed kennel, pet shop or the designated animal shelter.

D. Cat: means all members of the felis domestica species, male or female, altered or unaltered.

E. Competent Person: means a person of such maturity as to be able to exercise control over an animal.

F. Dog: means all dogs, male or female, altered or unaltered.

G. Owner: is intended to mean any person or persons owning, keeping or harboring a dog, cat, horse or other animal.

**2.1-3.0215 RUNNING AT LARGE PROHIBITED.** No owner of any animal shall allow such animal to run at large within the limits of the Town. The owner of said animal shall be held responsible and subject to penalty.

**2.1-3.0220 UNLAWFUL TO CAUSE HARM OR INJURY.** No person shall cause, permit or suffer to permit a dog, cat or other animal to attack or kill any person or domestic animal. This Section applies to any owner of the offending animal, any person charged with its care or any person providing its care. It is not a defense

to a charge of violating this provision that the attacking and killing occurred all or in part on the premises owned, controlled or occupied by the defendant.

**2.1-3.0221 UNLAWFUL TO PLACE PERSONS IN FEAR OF INJURY.** No person shall cause, urge, permit or suffer a dog, cat or other animal to place any person or other animals in reasonable fear of attack or injury.

**2.1-3.0225 CRUELTY TO ANIMALS PROHIBITED.** No person shall torture, torment, deprive of necessary subsistence, mutilate, cruelly beat or cruelly kill any animal, or unnecessarily fail to provide the same with proper food, drink, shelter or protection from the weather or cruelly abandon same or commit any other act or omission by which unjustifiable pain, distress, suffering or death is caused or permitted to any animal either maliciously, willfully or negligently.

**2.1-3.0230 ANIMAL NUISANCES.** The owner of any dog, cat or other animal shall not permit such dog, cat or other animal to become a nuisance to the public by any of the following:

A. Being an annoyance or disturbance to any person other than the owner by frequent and habitual barking, howling, yelping, hissing, meowing or fighting.

B. Defacing, scratching or marring any personal property other than that of the owner of said animal.

A. Trespassing upon any property where food or drink is sold unless provided for otherwise under Statutes.

B. Allowing such animals to defecate on property other than the animal owner's property without cleaning up the droppings.

**2.1-3.0235 OWNER OR PERSON IN CHARGE OF ANIMAL TO KEEP PLACE IN SANITARY CONDITION.** The owner or person in charge of any dog, cat, horse or other animal shall keep the premises where the animal is kept in a clean and sanitary condition at all times.

**2.1-3.0240 CONFINEMENT OF FEMALE DOGS AND CATS IN HEAT.** The owner of any female dog or cat in heat shall confine said female dog or cat in a building which is completely enclosed, housed in a veterinary hospital or licensed kennel or within the owner's yard enclosed by a fence or other structure having a height of at least 42 inches. Nothing in this Section, however, shall be construed as prohibiting any competent and responsible person from walking said dog or cat with a leash, cord, chain or other similar restraint not more than ten (10) feet in length or from transporting such dog or cat within a motor vehicle under proper restraint.

**2.1-3.0245 ANIMALNAPPING.** No person shall take the dog, cat or other animal of another from one place to another without the owner's consent or cause such dog, cat or other animal to be confined or carried out of the Town or held for any purpose without the owner's consent. This Section does not apply to enforcement officials including the Town Police Officer and Animal Control Officer engaged in the exercise of their official duties under this Title.

**2.1-3.0250 APPREHENSION AND IMPOUNDMENT.**

A. It shall be the duty of the Town Police Officer or the Animal Control Officer to cause to be taken up and impounded any dog, cat or any other animal found to be at large within the Town contrary to the provisions of this Article or reasonably believed by the Town Police Officer or Animal Control Officer to have committed one or more of the acts described in Section 2.1-3.0220 or Section 2.1-3.0221 which would subject the owner thereof to penalty.

B. The provisions of §948.15 Stats. are hereby incorporated herein by reference.

**2.1-3.0255 IMPOUNDMENT AND DISPOSAL FEES.** Impoundment and disposal fees shall be established and collected as may be determined from time to time by the designated animal shelter of the Town.

**2.1-3.0260 ANNUAL DOG LICENSE REQUIRED.** The owner of all dogs five (5) months of age or older shall annual obtain a license therefore as hereinafter provided.

**2.1-3.0260 LICENCE APPLICATION.** The owner or keeper of a dog for which a license is required, shall on or before the first day of January of each year apply for a license from the Treasurer or other authorized agent of the Town for each dog owned by him.

A. A fee for each license shall be charged as provided for in Section 2.1-3.0265 Applications made on or after April 1 of each year shall be delinquent and a late fee in accordance with State Statutes shall be applied per dog. See fee schedule Appendix A.

B. Applications for licenses shall be in writing on forms provided by the Town and approved by the Town Administrator. See Appendix A.

**2.1-3.0264 VACCINATION OF DOGS AND CATS.** The owner of any dog or cat in the Town over the age of five (5) months shall have such dog or cat inoculated for the prevention of rabies by a licensed veterinarian. The owner shall be responsible that evidence of said anti-rabies inoculation be attached to a substantial collar kept on the dog. Such evidence of inoculation shall be removed by the owner when the effect of the vaccination as stated by the veterinarian expires.

**2.1-3.0265 LICENSE FEES.** No person shall own or keep a dog over the age of five (5) months within the limits of the Town without first obtaining a license from the Town Treasurer or other authorized agent of the Town by application. The license fee shall be \$10.00 for each spayed or neutered dog; \$20.00 for each unspayed or unneutered dog and the fee for a kennel license shall be \$55.00 for a maximum of 12 dogs and \$6.00 for each dog license thereafter. A late fee in accordance with the Statutes shall be applied per dog after April 1 of each year. Exemptions to the license fee shall be granted in accordance with §174.054 and §174.055 Stats. See Appendix A.

**2.1-3.0266 LICENSE TAG.** Upon receipt of the application and payment of the required fee, the Town Treasurer shall deliver or mail to the applicant a license which shall be in the form of a metal tag.

**2.1-3.0268 USE OF LICENSE TAG.** License tags shall be attached by the owner to a substantial collar and during the term of the license shall be at all times kept on the dog for which the license was issued. Upon expiration of said license, the owner shall remove said tag from the animal.

**2.1-3.0270 TRANSFER OR CHANGE OF OWNERSHIP.** When the permanent ownership of a dog is transferred, the Treasurer upon notification may transfer the license by notation on a license record giving the name and address of the new owner.

**2.1-3.0272 TAG NOT TRANSFERABLE.** A license tag issued for one dog shall not be transferable to another dog.

**2.1-3.0274 DURATION OF LICENSE.** All licenses shall expire on January 1 of the year following the date of issuance.

**2.1-3.0276 EXEMPTIONS TO LICENSE REQUIREMENTS.** The requirements of licensing dogs shall not apply to such dog if:

- A. In transient through the Town only.
- B. First thirty (30) days of residency by the owner.
- C. Housed in a veterinary hospital or the designated animal shelter.
- D. Housed temporarily in an animal grooming shop.
- E. Exempt from the license requirement by §174.054 Stats.