

Chapter 14

ANIMALS*

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ARTICLE I. IN GENERAL

Sec. 14-1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Animal*. Mammals, reptiles and birds.
- (2) *At large*. Off the premises of the owner and not under the control of some person either by leash or otherwise, but a dog or cat within an automobile of its owner or in an automobile of any other person with the consent of the owner of the dog or cat shall be deemed to be upon the owner's premises.
- (3) *Cat*. Any feline, regardless of age or sex.
- (4) *Cruel*. Causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
- (5) *Dog*. Any canine, regardless of age or sex.
- (6) *Farm animal*. Any warm-blooded animal normally raised on farms in the United States and used for food or fiber.
- (7) *Law enforcement officer*. Has the meaning that appears in Wis. Stats. § 967.02(5), and includes a humane officer under Wis. Stats. § 58.07, but does not include a conservation warden appointed under Wis. Stats. § 23.10.
- (8) *Neutered*. As describing a dog or cat, a dog or cat having nonfunctional reproductive organs.
- (9) *Owner*. Any person owning, harboring or keeping a dog or cat and the occupant of any premises on which a dog or cat remains or to which it customarily returns daily for a period of ten days; such person is presumed to be harboring or keeping the dog or cat within the meaning of this article.
- (10) *Pet*. An animal kept and treated as a pet. (Code 1988, § 7-1-1(b))

Cross reference—Definitions generally, § 1-2.

State law reference—Similar provisions, Wis. Stats. §§ 174.05—174.10.

Sec. 14-2. Rabies quarantine.

(a) *Confinement of dogs and cats*. If a district is quarantined for rabies, all dogs and cats within the village shall be kept securely confined, tied, leashed or muzzled. Any dog or cat not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The village administrator shall promptly post notices of quarantine in at least three public places in the village.

(b) *Exemption of vaccinated dog or cat*. A dog or cat which is immunized currently against rabies, as evidenced by a valid certificate of rabies vaccination or other evidence, is exempt from the village quarantine of subsection (a) of this section if a rabies vaccination tag or substitute tag is attached to the dog's or cat's collar.

(c) *Quarantine or sacrifice of animal suspected of biting person or being infected or exposed to rabies*.

- (1) *Dog or cat*. An officer shall order a dog or cat quarantined if the officer has reason to believe that the dog or cat bit a person, is infected with rabies or has been in contact with a rabid animal. If a quarantine cannot be imposed because the dog or cat cannot be captured, the officer may kill the dog or cat. The officer may kill a dog or cat only as a last resort or if the owner agrees. The officer shall attempt to kill the dog or cat in a humane manner and in a manner which avoids damage to the animal's head.
- (2) *Other animals*. An officer may order killed or may kill an animal other than a dog or cat if the officer has reason to believe that the animal bit a person or is infected with rabies.
- (3) *Sacrifice of dog or cat*. An officer may order killed or may kill a dog or cat if the owner of the dog or cat violates Wis. Stats. § 95.21(5)(a), (b) or (c).
- (d) *Quarantine of dog or cat*.
 - (1) *Delivery to isolation facility or quarantine on premises of owner*. An officer who or-

ders a dog or cat to be quarantined shall deliver the dog or cat or shall order the dog or cat delivered to an isolation facility as soon as possible, but no later than 24 hours after the original order is issued, or the officer may order the dog or cat to be quarantined on the premises of the owner if the dog or cat is immunized currently against rabies as evidenced by a valid certificate of rabies vaccination or other evidence.

(2) *Health risk to humans.* If a dog or cat is ordered to be quarantined because there is reason to believe that the dog or cat bit a person, the custodian of an isolation facility or the owner shall keep the dog or cat under strict isolation under the supervision of a veterinarian for at least ten days after the incident occurred. In this subsection, the term "supervision of a veterinarian" includes, at a minimum, examination of the animal on the first day of isolation, on the last day of isolation and on one intervening day. If the observation period is not extended and if the veterinarian certifies that the dog or cat has not exhibited any signs of rabies, the dog or cat may be released from quarantine at the end of the observation period.

(3) *Risk to animal health.*

- a. If a dog or cat is ordered to be quarantined because there is reason to believe that the dog or cat has been exposed to a rabid animal and if the dog or cat is not currently immunized against rabies, the custodian of an isolation facility or the owner shall keep the dog or cat leashed or confined for 180 days. The owner shall have the dog or cat vaccinated against rabies between 155 and 165 days after the exposure to a rabid animal.
- b. If a dog or cat is ordered to be quarantined because there is reason to believe that the dog or cat has been exposed to a rabid animal but if the dog or cat is immunized against

rabies, the custodian of an isolation facility or the owner shall keep the dog or cat leashed or confined for 60 days. The owner shall have the dog or cat revaccinated against rabies as soon as possible after exposure to a rabid animal.

(4) *Sacrifice of dog or cat exhibiting symptoms of rabies.* If a veterinarian determines that a dog or cat exhibits symptoms of rabies during the original or extended observation period, the veterinarian shall notify the owner and the officer who ordered the dog or cat quarantined and the officer or veterinarian shall kill the dog or cat in a humane manner and in a manner which avoids damage to the animal's head. If the dog or cat is suspected to have bitten a person, the veterinarian shall notify the person or the person's physician.

(e) *Delivery of carcass; preparation; examination by state laboratory of hygiene.* An officer who kills an animal shall deliver the carcass to a veterinarian or local health department. The veterinarian or local health department shall prepare the carcass, properly prepare and package the head of the animal in a manner to minimize deterioration, arrange for delivery by the most expeditious means feasible of the head of the animal to the state laboratory of hygiene and dispose of or arrange for the disposal of the remainder of the carcass in a manner which minimizes the risk of exposure to any rabies virus. The state laboratory of hygiene shall examine the specimen and determine if the animal was infected with rabies. The state laboratory of hygiene shall notify the village, the veterinarian or local health department which prepared the carcass and, if the animal is suspected of having bitten a person, that person or the person's physician.

(f) *Cooperation of veterinarian.* Any practicing veterinarian who is requested to be involved in the rabies control program by an officer is encouraged to cooperate in a professional capacity with the village, the state laboratory of hygiene, the

local health department, the officer involved and, if the animal is suspected of having bitten a person, the person's physician.

(g) *Responsibility for quarantine and laboratory expenses.* The owner of an animal is responsible for any expenses incurred in connection with keeping the animal in an isolation facility, supervision and examination of the animal by a veterinarian, preparation of the carcass for laboratory examination and the fee for the laboratory examination. If the owner is unknown, the county is responsible for these expenses.
(Code 1988, § 7-1-5)

Sec. 14-3. Restrictions on keeping dogs, cats, fowl and other animals.

(a) *Generally.* It shall be unlawful for any person within the village to own, harbor or keep any dog or cat which:

- (1) Habitually pursues any vehicle upon any public street, alley or highway in the village.
- (2) Assaults or attacks any person or destroys property.
- (3) Is at large within the limits of the village.
- (4) Habitually barks or howls to the annoyance of any person (see section 14-9).
- (5) Kills, wounds or worries any domestic or wild animal.
- (6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
- (7) If a dog, is unlicensed.

(b) *Vicious dogs and animals.*

- (1) No vicious dog shall be allowed off the premises of its owner unless muzzled or on a leash in charge of the owner or a member of the owner's immediate family over 16 years of age. For purposes of enforcing this subsection, a dog shall be deemed as being of a vicious disposition if, within any 12-month period, it bites two or more persons or inflicts serious injury to one person in unprovoked circum-

stances off the owner's premises. Any vicious dog which is found off the premises of its owner other than as provided in this subsection may be seized by any person and, upon delivery to the proper authorities, may, upon establishment to the satisfaction of a court of competent jurisdiction of the vicious character of the dog, by testimony under oath reduced to writing, be killed.

- (2) No person shall harbor or permit to remain on the premises any animal that is habitually inclined toward attacking persons or animals, destroying property, barking excessively or making excessive noises or running after automobiles.
- (3) No person shall own, harbor or keep within the village any dog of the breed Staffordshire terrier, or any other dog known as a pit bull terrier.

(c) *Running at large.*

- (1) No person having the possession or ownership of any animal or fowl shall allow the animal or fowl to run at large within the village. The owner of any animal, whether licensed or unlicensed, shall keep the animal enclosed so as not to interfere with neighbors. Any animal which is unlicensed and which is found running at large shall be impounded for enforcement. *Police Committee reviewed 11/8/05 and chose not to change*
- (2) A dog or cat shall not be considered to be running at large if it is on a leash and under control of a person physically able to control it.

(d) *Owner's liability for damage caused by dogs or cats; penalties.* The provisions of Wis. Stats. § 174.02, relating to the owner's liability for damage caused by dogs or cats, together with the penalties therein set forth are adopted and incorporated by reference in this section.

see ordinance 13-13

(e) ~~Nuisance.~~ Dogs or cats that act in violation of this section 14-3 are declared to be a public nuisance.

(Code 1988, § 7-1-6; Ord. No. 10-11, § 1, 11-1-10)

Sec. 14-4. Impoundment.

(a) *Animal control agency.*

(1) The village may contract with or enter into an agreement with a person to provide for the operation of an animal shelter, for the impoundment of stray animals, for the confinement of certain animals and for the disposition of impounded animals.

(2) The village delegates any such animal control agency the authority to act pursuant to this section.

(b) *Grounds for impoundment.* In addition to any penalty provided for a violation of this chapter, any police officer, humane officer or animal control officer may impound any dog, cat or other animal that habitually pursues any vehicle upon any street, alley or highway of this village; that assaults or attacks any person; that is at large within the village; that habitually barks, cries or howls; that kills, wounds or worries any domestic or wild animal. In order for an animal to be impounded, the impounding officer must see or hear the violation of this section or have possession of a signed statement of a complaining witness alleging the facts regarding the violation and containing an agreement to reimburse the village for any damages it sustains for improper or illegal seizure.

(c) *Claiming animal; disposal of unclaimed animals.* After seizure of an animal under this section by a law enforcement officer, humane officer or animal control officer, the animal shall be impounded. Animals transferred to the county Humane Society shall be cared for and disposed of pursuant to the Humane Society's policies. If an animal is retained in village custody, the officer shall notify the owner, personally or through the U.S. mail, if such owner is known to the officer or can be ascertained with reasonable effort, but if such owner is unknown or unascertainable, the officer shall publish in the village newspaper, giving a description of the animal, stating where

it is impounded and the conditions for its release, after the officer has taken possession of such animal. If within seven days after such notice the owner does not claim such animal, the officer may dispose of the animal in a proper and humane manner. However, if an animal before being impounded has bitten a person, the animal shall be retained in the animal shelter for ten days for observation purposes. Within such time, the owner may reclaim the animal upon payment of impoundment fees, such fees to be established by resolution of the village board. No animal shall be released from the pound without being properly licensed if so required by state law or this chapter.

(d) *Sale of impounded animals.* If the owner doesn't reclaim the animal within seven days, the animal warden may sell the animal to any willing buyer.

(e) *Village liability.* The village and its animal control agency shall not be liable for the death of any animal which has been impounded or disposed of pursuant to this section.

(Code 1988, § 7-1-7)

Sec. 14-5. Dogs and cats restricted on cemeteries.

No dog or cat shall be permitted in any public cemetery. Every dog specially trained to lead blind persons shall be exempt from this section.

(Code 1988, § 7-1-8)

Sec. 14-6. Duty of owner for dog, cat or ferret bite.

Every owner or person harboring or keeping a dog, cat or ferret who knows that such dog, cat or ferret has bitten any person shall immediately report such fact to the police department and shall keep such dog, cat or ferret confined for not less than ten days or for such period of time as the police department shall direct. The owner or keeper of any such dog, cat or ferret shall surrender the dog, cat or ferret to a law enforcement officer or humane officer upon demand for examination.

(Code 1988, § 7-1-9)

Sec. 14-7. Feces.

The owner or person in charge of any dog or other animal shall not permit solid fecal matter of such animal to deposit on any street, alley or other public or private property, unless such matter is immediately removed therefrom by the owner or person in charge. This section shall not apply to a person who is visually or physically handicapped.

(Code 1988, § 7-1-10)

Sec. 14-8. Injury to property.

It shall be unlawful for any person owning or possessing an animal, dog or cat to permit such animal, dog or cat to go upon any parkway or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever or to defecate thereon.

(Code 1988, § 7-1-11)

Sec. 14-9. Barking dogs or crying cats.

It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are declared to be a public nuisance. A dog or cat is considered to be in violation of this section when two complaints are made to the police department within a four-week period. A complaint shall include a police officer or municipal official witnessing a dog or cat acting in violation of this section and reporting the conduct to the police department.

(Code 1988, § 7-1-12; Ord. No. 10-11, § 2, 11-1-10)

Cross reference—Noise generally, § 34-56 et seq.

Sec. 14-10. Prohibited and protected animals, fowl, reptiles and insects.

(a) *Protected animals.* The keeping of protected animals shall be subject to the following:

- (1) *Possession and sale.* It shall be unlawful for any person to possess with intent to sell or offer for sale or buy or attempt to

buy, within the village, any of the following animals, alive or dead, or any part or product thereof: all wild cats of the family Felidae; polar bear (*Thalarctos maritimus*); red wolf (*Canis niger*); vicuna (*Vicugna vicugna*); or alligator, caiman or crocodile of the order of Crocodilia; gray or timber wolf (*Canis lupus*); sea otter (*Enhydra lutris*); Pacific ridley turtle (*Lepidochelys olivacea*); Atlantic green turtle (*Chelonia mydas*); Mexican ridley turtle (*Lepidochelys kempii*).

- (2) *Compliance with federal regulations.* It shall be unlawful for any person to buy, sell or offer for sale a native or foreign species or subspecies of mammal, bird, amphibian or reptile or the dead body or parts thereof which appears on the endangered species list designated by the United States Secretary of the Interior and published in the Code of Federal Regulations pursuant to the Endangered Species Act of 1973 (PL 135), 16 U.S.C. § 1531.

- (3) *Importation of certain birds.* No person shall import or cause to be imported into this village any part of the plumage, skin or dead body of any species of hawk, owl or eagle. This subsection shall not be construed to forbid or restrict the importation or use of the plumage, skin, body or any part thereof legally collected for use by the American Indians for ceremonial purposes or in the preservation of their tribal customs and heritage.

(b) *Exceptions to subsection (a).* Subsection (a) of this section shall not be deemed to prevent the lawful importation, possession, purchase or sale of any species by any public agency, institute of higher learning, persons holding federal permits, or by a person holding a scientific collector's permit issued by the secretary of the department of natural resources of the state or to any person or organization licensed to represent a circus.

(c) *Keeping wild animals.* Notwithstanding subsection (a), it shall be unlawful for any person to keep, maintain or have in such person's possession or under such person's control within the village any poisonous reptile; any other danger-

ous or carnivorous wild animal, insect or reptile; any vicious or dangerous domesticated animal; or any other animal or reptile of wild, vicious or dangerous propensities. Specifically, it shall be unlawful for any person to keep, maintain or have in such person's possession or under such person's control within the village any of the following animals, reptiles or insects:

- (1) All poisonous animals and reptiles including rear-fang snakes.
- (2) Apes:
 - a. Chimpanzees (*Pan troglodytes*).
 - b. Gibbons (*Hylobates*).
 - c. Gorillas (*Gorilla gorilla*).
 - d. Orangutans (*Pongo pygmaeus*).
 - e. Siamangs (*Symphalangus*).
- (3) Bears (*Ursidae*).
- (4) Bison (*Bison*).
- (5) Cheetahs (*Acinonyx jubatus*).
- (6) Crocodilians (*Crocodylia*), 30 inches in length or more.
- (7) Constrictor snakes, six feet in length or more.
- (8) Coyotes (*Canis latrans*).
- (9) Deer (*Cervidae*), including all members of the deer family; for example, whitetailed deer, elk, antelope and moose.
- (10) Elephants (*Elephas maximus* and *Loxodonta africana*).
- (11) Game cocks and other fighting birds.
- (12) Hippopotami (*Hippopotamidae*).
- (13) Hyenas (*Hyaenidae*).
- (14) Jaguars (*Panthera onca*).
- (15) Leopards (*Panthera pardus*).
- (16) Lions (*Panthera leo*).
- (17) Lynxes (*Lynx*).
- (18) Monkey, new world (*Platyrrhine*).
- (19) Monkeys, old world (*Catarrhine*).
- (20) Ostriches (*Struthio camelus*).
- (21) Prosimians (*Prosimii*).

- (22) Pumas (*Felis concolor*); also known as cougars, mountain lions and panthers.
- (23) Rhinoceroses (*Rhinocerotidae*).
- (24) Sharks (class *Chondrichthyes*).
- (25) Snow leopards (*Panthera uncia*).
- (26) Tigers (*Panthera tigris*).
- (27) Wolves (*Canis lupus*).
- (28) Poisonous insects or spiders.
- (29) Except in properly zoned districts, horses, mules, llamas, ponies, donkeys, cows, pigs, goats, sheep, chickens or any animal raised for fur-bearing purposes unless otherwise permitted elsewhere in this Code.

(d) *Exceptions to subsection (c)*. The prohibitions of subsection (c) of this section shall not apply where the creatures are in the care, custody or control of a veterinarian for treatment; agricultural fairs; shows or projects of the 4-H clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; dog or cat shows or trials; public or private educational institutions; licensed pet shops; zoological gardens; if:

- (1) Their location conforms to chapter 106 pertaining to zoning.
- (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
- (3) Animals are maintained in quarters so constructed as to prevent their escape.
- (4) No person lives or resides within 100 feet of the quarters in which the animals are kept.

(Code 1988, § 7-1-13; Ord. No. 10-11, § 3, 11-1-10)

Sec. 14-11. Trapping.

(a) In the interest of public health and safety, it shall be unlawful for any person, in or on land within the village, to set, place or tend any trap for the purpose of trapping, killing, catching, wounding, worrying or molesting any animal, except by use of live box-type traps only. Live

box-type traps shall be defined as those traps which capture and hold an animal in an alive and unharmed condition.

(b) This section shall prohibit the use of all traps other than live traps as described in subsection (a) of this section, including but not limited to traps commonly known as leg traps, pan-type traps or other traps designed to kill, wound or close upon a portion of the body of an animal.

(c) All such traps set, placed or tended shall comply with Wis. Stats. ch. 29 as it relates to trapping.

(d) This section shall not apply to trapping within the confines of buildings or homes.

(e) Nothing in this section shall prohibit or hinder the village or its employees or agents from performing their official duties.
(Code 1988, § 7-1-19)

Sec. 14-12. Vehicle accidents.

The operator of any vehicle involved in an accident resulting in injury to or death of a dog, cat or other animal which appears to be a pet shall immediately notify the police department or an animal control agency whose jurisdiction extends into the village.
(Code 1988, § 7-1-21)

Cross reference—Traffic and vehicles, ch. 94.

Sec. 14-13. Limitation on number of dogs and cats.

(a) *Purpose.* The village board finds that keeping large numbers of cats and dogs contributes to the degradation of the public health and general welfare by tending to create unreasonable noise and pet odors and possession of large numbers of cats or dogs can create serious health risks to the public and the caretakers when the burden to care and clean overwhelm individuals charged with the care of such animals. The village board further finds that addressing such public health and welfare issues on a case-by-case basis relying solely on the existence of actual public or private nuisances is not an effective or practical method of addressing such issues and that by contrast, it is not unreasonable to limit the numbers of cats and dogs harbored, sheltered or possessed and

that such a regulation provides a more effective and practical method of addressing the public health and general welfare concerns attendant to the keeping of a large number of such pets.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) "Fostering facility" means a facility that has been approved by the Dane County Humane Society to foster animals.
- (2) "Kennel" means any premises licensed under section 14-44, or portion thereof, where dogs or cats are maintained, boarded, bred, or cared for, in return for remuneration, or are kept for the purpose of sale.
- (3) "Premises" means any parcel of land including improvements considered a single unit for purposes of use or occupancy. As applied to multi-family dwellings, the term shall refer to each dwelling unit.
- (4) "Rescue facility" means a facility that has been approved by the American Kennel Club to care for abandoned or abused animals.

(c) *Prohibition.* There shall be no more than three (3) dogs or cats or any combination thereof harbored, sheltered or possessed upon a single premises.

(d) *Exceptions.* The prohibition contained in subsection (c) shall not apply to the following, so long as all applicable state, county or village zoning, licensing or other laws or regulations are satisfied:

- (1) Dogs and cats under the age of five months.
- (2) Service animals as that term is used and interpreted by the federal Americans with Disabilities Act.
- (3) A fostering facility or a rescue facility.
- (4) Pet shops.
- (5) Veterinary hospitals or clinics.
- (6) Kennels.

(7) Pet grooming parlor.
(Code 1988, § 7-1-22; Ord. No. 10-11, § 4, 11-1-10)

Sec. 14-14. Keeping of bees.

(a) It shall be unlawful for any person to establish or maintain any hive, stand or box where bees are kept or to keep any bees in or upon any premises within the corporate limits of the village, unless the bees are kept in accordance with the following:

- (1) No hive, stand or box where bees are kept shall be located closer than 20 feet to any property boundary.
- (2) If bee colonies are kept within 50 feet of any exterior boundary of the property on which the hive, stand or box is located, a barrier that will prevent bees from flying through it, no less than five feet high, shall be installed and maintained along the exterior boundary. The barrier may be either a natural planting or artificial.
- (3) Fresh, clean watering facilities for bees shall be provided on the premises.
- (4) The bees and equipment shall be kept in accordance with state statutes.
- (5) A conditional use permit, following notice and hearing, pursuant to chapter 106, shall first be obtained.
- (6) Hives, stands or boxes for bees shall only be kept in a rear yard area.

(b) Nothing in this section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located within a school or university building for the purpose of study or observation.

(Code 1988, § 7-1-23)

Sec. 14-15. Exclusion from food handling establishments.

No person shall take or permit to remain any dog, cat or other live animal on or upon any premises where food is sold, offered for sale or processed for consumption by the general public; provided, however, that this subsection shall not

apply to guide dogs accompanying blind, deaf and mobility-impaired persons, as provided under Wis. Stats. § 174.056.

(Code 1988, § 8-1-3(b))

~~**Sec. 14-16. Penalties.**~~

~~Any person violating any provision of this chapter shall be subject to punishment as provided under section 1-15.~~

see ordinance 13-13

Secs. 14-17—14-40. Reserved.

ARTICLE II. DOG, CAT AND KENNEL LICENSES*

Sec. 14-41. Dog or cat license required.

It shall be unlawful for any person in the village to own, harbor or keep any dog or cat of more than five months of age after April 1 of the license year without complying with the sections of this chapter relating to the listing, licensing and tagging of the dog or cat.

(Code 1988, § 7-1-1(a); Ord. No. 2003-14, 12-15-03)

Sec. 14-42. Rabies vaccination.

(a) *Required.* The owner of a dog or cat shall have the dog or cat vaccinated against rabies by a veterinarian within 30 day after the dog or cat reaches four months of age, and the dog or cat shall be revaccinated within one year after the initial vaccination. If the owner obtains the dog or cat or brings the dog or cat into the village after the dog or cat has reached four months of age, the owner shall have the dog or cat vaccinated against rabies within 30 days after the dog or cat is brought into the village, unless the dog or cat has been vaccinated as evidenced by a current certificate of rabies vaccination. The owner of a dog or cat shall have the dog or cat revaccinated against rabies by a veterinarian before the date of that immunization expires, as stated on the certificate of vaccination, or, if no date is specified, within

*Cross reference—Business licenses generally, § 22-31 et seq.

two years after the previous vaccination. The certificate of vaccination shall meet the requirements of Wis. Stats. § 95.21(2).

(b) *Issuance of certificate of rabies vaccination.* A veterinarian who vaccinates a dog or cat against rabies shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the village stating the owner's name and address; the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog or cat; the date of the vaccination; the type of rabies vaccination administered and the manufacturer's serial number; the date that the immunization expires as specified for that type of vaccine by the Centers for Disease Control of the U.S. Department of Health and Human Services and the village.

(c) *Copies of certificate.* The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for this purpose until the date that the immunization expires or until the dog or cat is revaccinated, whichever occurs first.

(d) *Issuance of tag.* After issuing the certificate of rabies vaccination, the veterinarian shall deliver to the owner a rabies vaccination tag of durable material bearing the same serial number as the certificate; the year the vaccination was given; and the name, address and telephone number of the veterinarian.

(e) *Attaching tag.* The owner shall attach the rabies vaccination tag or a substitute tag to a collar, and a collar with the tag attached shall be kept on the dog or cat at all times, but this does not apply to a dog or cat during competition or training, to a dog while hunting, to a dog or cat securely confined indoors or to a dog or cat securely confined in a fenced area. The substitute tag shall be of a durable material and shall contain the same information as the rabies vaccination tag. The requirements of this subsection do not apply to a dog or cat which is not required to be vaccinated under subsection (a) of this section.

(f) *Duplicate tag.* The veterinarian may furnish a new rabies vaccination tag with a new serial number to an owner in place of the original tag upon presentation of the certificate of rabies

vaccination. The veterinarian shall then indicate the new tag number on the certificate and shall keep a record in the file.

(g) *Cost.* The owner shall pay the cost of the rabies vaccination and the cost associated with the issuance of a certificate of rabies vaccination and the delivery of a rabies vaccination tag. (Code 1988, § 7-1-2; Ord. No. 2003-14, 12-15-03)

Sec. 14-43. Requirements for issuance of dog or cat licenses.

(a) It shall be unlawful for any person in the village to own, harbor or keep any dog or cat more than five months of age without complying with Wis. Stats. §§ 174.05—174.09 relating to the listing, licensing and tagging of the dog or cat.

(b) The owner of any dog or cat more than five months of age on January 1 of any year or five months of age within the license year shall annually, or on or before the date the dog or cat becomes five months of age, pay a license tax and obtain a license.

(c) The minimum license tax under this section shall be as established in the schedule of village license fees. The license year shall commence January 1 and shall end December 31.

(d) Upon payment of the required license tax and upon presentation of evidence that the dog or cat is currently immunized against rabies, as required by section 14-42, the village administrator shall complete and issue to the owner a license for such dog or cat containing all information required by state law. The village administrator shall also deliver to the owner, at the time of issuance of the license, a tag of durable material bearing the same serial number as the license, the name of the county in which issued and the license year.

(e) The owner shall securely attach the tag to a collar, and the collar with the tag attached shall be kept on the dog or cat for which the license is issued at all times, except as provided in subsection 14-42(e).

(f) The fact that a dog or cat is without a tag attached to the dog or cat by means of a collar shall be presumptive evidence that the dog or cat

is unlicensed. Any village police or humane officer shall seize, impound or restrain any dog or cat for which a dog or cat license is required which is found without such tag attached.

(g) Notwithstanding subsections (a) through (f) of this section, every dog or cat specifically trained to lead blind or deaf persons or to provide support for mobility-impaired persons, or that is kept only for educational or scientific purposes is exempt from the license tax, and every person owning such a dog or cat shall receive annually a free dog or cat license from the village administrator upon application therefor.
(Code 1988, § 7-1-3(a); Ord. No. 2003-14, 12-15-03)

Sec. 14-44. Requirements for issuance of kennel licenses.

(a) Any person who keeps or operates a kennel may, instead of the license tax for each dog required by this article, apply for a kennel license for the keeping or operating of the kennel. Such person shall pay for the license year a license tax as established in the schedule of village license fees. Upon payment of the required kennel license tax and, if required by the village board, upon presentation of evidence that all dogs over five months of age are currently immunized against rabies, the village administrator shall issue the kennel license and a number of tags equal to the number of dogs authorized to be kept in the kennel. Kennels may only be located in residential areas after a conditional use permit has been issued pursuant to chapter 106 pertaining to zoning.

(b) The owner or keeper of a kennel shall keep at all times a kennel license tag attached to the collar of each dog over five months old kept by the owner or keeper under a kennel license, but this requirement does not apply to a show dog during competition, to a dog securely confined indoors or to a dog securely confined in a fenced area. These tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. The rabies vaccination tag or substitute tag shall remain attached to the dog for which it is issued at all times, but this requirement does not apply to a show dog during compe-

tion, to a dog securely confined indoors or to a dog securely confined in a fenced area. No dog bearing a kennel tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel unless the dog is in leash or temporarily for the purposes of hunting, breeding, trial, training or competition.

(Code 1988, § 7-1-3(b))

State law reference—Kennel licenses, Wis. Stats. § 174.053.

Sec. 14-45. Late fees.

The village administrator shall assess and collect a late fee of \$5.00 from every owner of a dog or cat five months of age or over 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 cat or if the owner failed to obtain a license on or before the dog or cat reached licensable age. The late fee shall be charged in addition to the required license fee.
(Code 1988, § 7-1-4; Ord. No. 2003-14, 12-15-03)

Secs. 14-46—14-75. Reserved.

ARTICLE III. LIVESTOCK

Sec. 14-76. Restrictions on keeping.

All structures, pens, buildings, stables, coops or yards wherein animals or fowl are kept shall be maintained in a clean and sanitary condition, free of rodents, vermin and objectionable odors, and all animals or fowl shall only be kept in properly zoned areas.
(Code 1988, § 8-1-3(a))