

ORDINANCE NO. 94-06

AN ORDINANCE TO REGULATE DOGS

BE IT ENACTED AS FOLLOWS:

SECTION 1. LICENSE REQUIRED.

- (1) All persons owning, harboring, keeping or possessing in the Town of Eagle, Wisconsin, a dog over five (5) months old shall obtain an annual license from the treasurer of the Town of Eagle, prior to April 1. In the event a dog is acquired or becomes five (5) months of age subsequent to January 1st of any year a license shall be obtained within thirty (30) days of such acquisition or birth date as the case may be.**

 - (a) One license will be obtained for each dog;**
 - (b) Application for each license shall be made on a form to be provided by the Treasurer;**
 - (c) The license fee for a male dog is to be established by the Town Board by motion;**
 - (d) The license fee for a spayed female dog is to be established by the Town Board by motion;**
 - (e) The license fee for a female dog not spayed is to be established by the Town Board by motion;**
 - (f) A fee to be established by motion of the Town Board will be charged on applications submitted after January 1st with respect to dogs acquired prior to that date who have reached the age of five (5) months prior to that date. A like charge will be made on applications submitted after April 1st of each year more than thirty (30) days subsequent to acquisition or the dog becoming five (5) months of age, whichever is later.**
 - (g) The treasurer will issue a license tag which must be displayed upon the dog at all times the dog is not upon or within the private property of the owner or person harboring said dog;**
- (2) Every dog specially trained to lead blind, deaf and mobility impaired persons shall be exempt from this dog license tax and every taxpayer owning such a dog shall annually receive a free dog license from the Town Treasurer upon application therefore.**
- (3) Any person operating a kennel in the Town of Eagle, Wisconsin, must obtain a conditional use permit. For such kennel, the license tax shall be an amount established by motion by the Town Board for 12 or fewer dogs plus an additional amount for each dog over 12 dogs for the license year. With such kennel license, the Treasurer shall issue a number of tags equal to the number of dogs in the kennel. The licensee of the kennel shall at all times keep one of such tags attached to the collar of each dog over five (5) months old kept under a kennel license except during competition. Such tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. No dog bearing any tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel unless on a leash or temporarily for the purposes of hunting, breeding, training, trial or show.**
- (4) Dogs brought into the Town of Eagle temporarily for a period not to exceed thirty (30) days, if kept confined or on leash, shall be exempt from the license provisions of this chapter.**

SECTION 2. RESTRICTIONS ON KEEPING DOGS.

No person shall permit any dog which he owns, harbors, or keeps, to:

- (1) Run at large off the premises of said owner or keeper without being fastened to a leash or otherwise under the control of said owner or keeper or their agents. This section shall not apply to dogs engaged in hunting while under the control of their owners, provided, however, that the hunting is done upon land upon which the owner has permission to hunt.**
- (2) Continuously for extended periods of time, bark or howl to the annoyance of any person or persons.**
- (3) Kill any domestic animal or bite any person. Duty of Owner in Case of Dog Bite. Every owner or person harboring or keeping a dog who knows that such dog has bitten any person shall immediately report such fact to the Humane Officer and shall keep such dog confined for not than 14 days or for such period as the Humane Officer shall direct. Upon the Town Humane Officer's demand, the owner or keeper of any such dog shall surrender it for examination to any veterinarian selected by the Humane Officer.**
- (4). Harboring Vicious Dogs. It shall be unlawful for any person to harbor or keep a vicious dog within the limits of the Town of Eagle. A dog is deemed to be vicious when it shall have attacked or bitten any person or when the propensity to attack or bite persons shall exist and is known or ought reasonably to be known by the owner.**

SECTION 3. DOGS IMPOUNDED/CONDITIONS OF RELEASE.

The Town Humane Officer of any other person authorized by the Town Board or County of Waukesha finding any dog running at large in violation of this ordinance shall take and confine the dog in some suitable place to be provided by the Town of Eagle. The Town Humane Officer shall notify the owner and otherwise act as provided for in §174.046 of the Wisconsin Statutes. if the owner does not claim such dog, the Town Humane Officer shall deliver the dog to the Humane Society. If such dog shall be reclaimed, the reclaiming persons shall (1) prove ownership of such animal; (2) prove the animal is currently licensed; (3) pay a per day boarding fee of an amount to be established by the Town Board by motion for each day plus the average daily cost of keeping the dogs while impounded; and (4) pay to the Town of Eagle an impound fee in an amount established by the Town Board by motion for each dog so impounded for the first impounding and for each impounding thereafter a double fee for each dog so impounded. Then, in that event, the animal may be released to the person so reclaiming the animal.

The parent or guardian of any minor reclaiming ownership of any dog shall nevertheless be deemed to be the owner of such animal and shall be charged for all penalties and pound fees imposed by this chapter.

SECTION 4. PENALTIES.

The Humane Officer is authorized to issue citations. Any person who shall violate or shall fail or refuse to comply with any of the provisions of this chapter shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$100.00 for all first offenses except harboring a vicious dog shall be not less than \$50 and not more than \$100 for the first offense and not less than \$100 and not more than \$500 for subsequent offenses together with the costs of prosecution for each and every offense and shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding ten days. Each day is a separate violation. The parent or guardian of any minor claiming ownership of any such dog shall be charged for all forfeitures, charges and costs imposed by this chapter.