

**AN ORDINANCE TO AMEND §12.01(4)  
OF THE GENERAL CODE OF ORDINANCES OF THE  
TOWN OF OCONOMOWOC RELATING TO LICENSE  
FEES FOR DOGS AND DOG KENNELS**

**The Town Board of the Town of Oconomowoc, Waukesha  
County, Wisconsin, do ordain as follows:**

**SECTION 1. Section 12.01(4) of the General Code of  
Ordinances is amended to read as follows:**

**12.01 LICENSE FEE. Unless otherwise indicated, fees for licenses  
issued under this chapter shall be as follows:**

- (4) DOGS.**
- (a) Neutered Males and Spayed Females.**
- (b) Unneutered Males and Unspayed Females.**
- (c) Kennels. For a kennel of 12 or fewer dogs:**

**An additional \$3.00 for each dog in excess  
of 12.**

**\$10.00**  
**\$15.00**  
**\$50.00**

**SECTION 2. This ordinance shall take effect and be in full force from and  
after its passage by the Town Board of the Town of Oconomowoc and  
posting and publication as provided by law**

**Passed and adopted this 6th day of October, 2003.**

## **12.06 DOGS AND OTHER ANIMALS.**

**(1) NUMBER OF DOGS LIMITED.** No person or family unit living together, firm or corporation, shall keep more than 2 dogs upon any premises in the Town with the exception that a litter of pups, or a portion of a litter, may be kept for not exceeding 5 months from birth. Kennels as defined in §174.06, Wis. Stats., are exempt from this restriction. However, maintenance and operation of kennels shall comply with applicable zoning ordinances of the Town and Waukesha County.

**(2) KEEPING OF VICIOUS, NOISY OR BARKING DOG OR OTHER ANIMAL.** No person shall keep or harbor any vicious dog or other animal or any dog which frequently or habitually barks, yelps or howls and thereby disturbs the peace and quiet of the neighborhood.

(a) **Definition.** “Vicious,” as used in this section, shall be construed to mean an animal which may suddenly assault, or which has a propensity to assault, a person while such person peacefully walks or rides on the public streets or while such person is lawfully on the premises of the owner or keeper of such animal.

(b) **Removal of Vicious animal.** Whenever any animal shall, after investigation by the Police Department, be found to be vicious or to have vicious propensities, such animal shall either be removed from the Town or destroyed by the owner within 72 hours after receipt by the owner of a written notice by a representative of the Police Department; or in the alternative, such animal shall be kept within a completely enclosed structure upon the premises of the owner, which premises shall bear a sign plainly displayed at every point of entrance, giving warning of the presence of such animal.

**(3) DOGS RUNNING AT LARGE.** No person in control of any dog shall permit the same to run at large. All dogs off the premises of the owner or custodian must either be on a leash or accompanied by its owner or custodian in proper control of it or such dog or dogs shall be deemed “running at large”.

(a) **Impounding Dogs.** Law enforcement officers or other persons authorized by the Town Board are empowered to seize, impound or restrict any dogs running at large. Whenever any impounded dogs shall bear identification or license tag, the owner shall be notified immediately. Any impounded dogs shall be held for a period of 7 days and at the end of such period shall be disposed of unless the owner reclaims such dog and pays at the impounding facility the reasonable cost of keeping the dog and any impounding fee established by the Town. The impounding fees may be altered or amended by the Town Board at any time by resolution.

(b) **Destruction of Impounded Dogs.** Impounded dogs not reclaimed shall be disposed of by methods approved by the Waukesha County Humane Society.

**(4) DOG LICENSE.** Every owner of a dog more than 5 months of age on January 1 of any year shall annually, or within 30 days from the date such dog becomes 5 months of age, at the time and in the manner provided by law, pay for dog license tax and obtain a dog license. Sections 174.05 through 174.10, Wis. Stats., so far as applicable, are adopted by reference.

**(5) CARE OP ANIMALS.** Sections 948.01 through 948.16, Wis. Stats., dealing with the care or treatment of animals, so far as applicable, are hereby adopted by reference, provided the penalty for commission of such offenses shall be limited to a forfeiture imposed under § 25.04 of this General Code. No person shall cause or allow any place where any animal is or may be kept to become unclean or unwholesome.

**(6) DOG LITTERING. (Cr. 04/20/98)** No owner, keeper or person walking any dog shall permit or allow his or her dog to discharge excreta upon any public or private property other than the property of the owner of the dog, within the Town of Oconomowoc, if such owner, keeper or person walking said dog does not immediately thereafter remove and clean up such dog's excreta from the public or private property.