

ORDINANCE REGULATING DOGS IN THE TOWN OF SUMMIT

THE TOWN BOARD OF SUPERVISORS of the Town of Summit, Waukesha County, Wisconsin, having by law village powers under Section 60.18 (12) of the Wisconsin Statutes, deeming it necessary in order to promote the public safety, health, morals and welfare do ordain as follows:

SECTION I. Vicious Dog to be Restrained on Leash.

No owner of or person harboring or keeping a fierce or vicious dog or bitch in heat shall suffer the same to run outside an enclosure in which the dog shall be kept unless attached to a leash of sufficient strength to restrain the dog, held by a person competent to control the dog.

SECTION II. Dogs Not to Run at Large.

No owner of or person harboring or keeping a dog shall suffer the same to run at large within the Town of Summit on the public highways, alleys, grounds or parks, or off the premises of the owner or keeper of such dog, except in an "Agricultural District" as defined by the Town of Summit Zoning Ordinance adopted November 3, 1952 as amended to date. It shall be the duty of every Police Officer to apprehend any dog so running at large and to confine such dogs when apprehended in the Town pound.

SECTION III. Gates or Doors not to be Opened to Set Dogs at Large.

All persons except the owners are hereby prohibited from opening any door or gate or otherwise enticing or enabling any dog to leave any private premises within which such dog may be for the purpose of setting such dog at large.

SECTION IV. Howling Dogs Prohibited.

It shall be unlawful for any person, partnership, or corporation owning, keeping, possessing, or harboring any dog to suffer or permit such dog or dogs to disturb the peace and quiet of the neighborhood by excessive, continuous, or untimely barking, yelping, howling or crying at any time of the day or night. Prosecution may be commenced by the issuance of the appropriate citation by the Police Department or by a verified complaint. Nothing in this ordinance shall be so construed as to prevent a warning citation being issued for a first offense at the discretion of the Police Department after review of the facts and circumstances of the individual case.

SECTION V. Treatment of Dogs with Rabies.

(a) Any person who shall have in his or her possession a dog which has contracted rabies, or which has been subject to same, or which is suspected of having rabies or which shall have bitten any person, shall upon demand of the Police Department, or the Health Officer of the Town of Summit, produce and surrender up such dog to the said Police Department or Health Officer of the Town of Summit, and if upon examination by the Health Officer, or the Wisconsin Humane Society, or any of its agents, the dog shall prove in fact to be infected with said disease the dog may be disposed of in the most humane manner by any such officer.

(b) No person shall keep or harbor any dog known by such person to be infected with rabies, or to have been bitten by a dog so infected, or after demand of the Police Department or the Health Officer of the Town of Summit to produce and surrender up such dog.

SECTION VI. Impounding Dogs.

(a) Any Police Officer or the Wisconsin Humane Society, or any of its agents, may enter upon the premises of the owner or keeper of any unlicensed dog as defined in Chapter 174 of the Wisconsin Statutes, or of a dog so infected with rabies or known to have been bitten by a dog so infected, or of a dog for surrender and possession of which demand has been made by the Police Department or Health Officer of the Town of Summit.

(b) The possession of any dog impounded pursuant to the provisions of this ordinance may be obtained by paying to the treasurer of the Town the sum of \$2.00 plus the current daily fee for each day, or fraction thereof, during which said dog has been impounded. If possession of any such impounded dog is not obtained in the manner hereinbefore provided, within the time and under the conditions specified in Section 174.10 (1), (2), (2m) and (3), Wisconsin Statutes, 1955, the Police Officer or the Wisconsin Humane Society, or any of its agents, shall dispose of the dog in a proper and humane manner, and the provisions of Section 174.10 (1), (2), (2m) and (3) Wisconsin Statutes, 1955 are hereby adopted and by reference made a part of this ordinance with the same force and effect as though set forth herein verbatim.

SECTION VII. Dogs, Licensing and Regulations.

(1) **Number Permitted.** No household or residential unit within the Town limits will be permitted to keep, harbor or house upon those premises more than three (3) dogs in excess of five (5) months of age.

(2) **Licensing Required.** Every person residing in the Town of Summit, who owns or has in their possession a dog which is more than five (5) months of age on January 1 or any year shall annually, at the time and in the manner prescribed by the Wisconsin Statutes for the payment of personal property taxes, obtain a license for each dog. A late fee of \$2.00 shall be assessed the owner of each dog five (5) months of age or over who fails to obtain a dog license by April 1 of each year or within thirty (30) days of acquiring ownership of a licensable dog. No license shall be issued for any dog under this section until that dog has received a rabies vaccination within two (2) years of the date the license is requested to be issued. Failure to have such dog so vaccinated shall constitute a violation to be an unlicensed dog under this section. The provisions of Wisconsin Statutes, 1981, are hereby incorporated herein and made a part of this section and subject to all the penalties of Town Ordinances.

SECTION VIII. Penalty.

Any person guilty of violation of any of the provisions of this ordinance, shall, upon conviction thereof, be subject to a forfeiture of not less than ten (\$10.00) dollars, nor more than two hundred (\$200.00) dollars for each violation, together with the costs of action, and in default of the payment thereof, to be imprisoned in the County Jail of Waukesha County until such forfeiture and subsequent costs have been paid, but not to exceed sixty (60) days.

SECTION IX. Repeal of Conflicting Ordinance.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION X. Severability.

The several sections, subsections and paragraphs of this ordinance are hereby declared to be severable. If any section, subsection, paragraph or subparagraph of this ordinance shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the ordinance or of the section of which the invalid portion or paragraph may be a part.

SECTION XI. Effective Date.

This ordinance shall be in full force and effect upon passage of posting three (3) copies thereof in three (3) public places in said Town.

PASSED AND ADOPTED by the Town Board of the Town
of Summit, Waukesha County, Wisconsin this 7th day of July, 1986.