

12.03 DOGS, LICENSING AND REGULATIONS. (Rep- & recr. #143)

(1) NUMBER PERMITTED. No household or residential unit within the Village limits will be permitted to keep harbor or house upon those premises more than 3 dogs in excess of 5 months of age. Dogs licensed in a household prior to April 1, 1983, would be exempt from the limit. The operation of kennels and kennel licenses will not be allowed in the Village.

(2) LICENSING REQUIRED. Every person residing in the Village who owns or has in their possession a dog which is more than 5 mos. of age on January 1 of 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 \$5 shall be assessed the owner of each dog 5 months of age or over who fails to obtain a dog license by April 1 of each year or within 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 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 §95.21, Wis. State., 1981, are hereby incorporated herein and made a part of this section and subject to all the penalties of §25.04 of this Municipal Code.

(3) LICENSE FEES (Am. #164) The owner or person in possession of any dogs within the Village shall pay to the Village Treasurer the license fee according to the Schedule of License Fees.

(4) ISSUANCE OF LICENSE. Upon payment to the Village Treasurer of the required fee, the Treasurer shall issue to such person a license to keep such dog for one year and such person shall, upon procuring the license, place a collar upon the dog with * tag furnished to him by the Treasurer or the County Clerk.

(5) STATE REGULATIONS. Section 95.21, and Ch. 174, Wis. Stats., as far as applicable are incorporated herein and made a part of this section and the penalties provided for in Cit. 25 of this Municipal Code.

(6) NOT TO RUN AT LARGE. No owner or person in control or having custody of a dog shall allow the same to run at large within the Village Unless accompanied by and under control of the owner or keeper. A dog shall not be considered as running at large if the dog is on the property of the owner or person having custody of the dog, is securely held by a leash or under the immediate control of a person at least 16 yrs. of age. No dog shall be considered as under the immediate control of any person if such dog is on private property other than the property of the owner or person having custody of the dog.

(7) HARBORING STRAYS. Any person harboring a stray dog for 10 days or more shall be considered its owner and shall be subject to the terms and regulations of this section.

(8) HARBORING CERTAIN DOGS PROHIBITED. No person shall own, harbor or keep any dog which:

(a) Habitually pursues any vehicle upon any public street, alley or highway.

(b) Assaults or attacks any person.

(C) Is Vicious. A showing that a dog has bitten, attacked or injured any person shall constitute a prima facie showing that such dog is vicious.

(d) Habitually barks or howls to the annoyance of any 2 or more persons.

(e) Is required to be licensed, but is not.

(9) CERTIFICATE OF INOCULATION REQUIRED. No license shall be issued hereunder for any dog unless the applicant exhibits a certificate of a qualified veterinarian showing that the dog has been inoculated for rabies and distemper within the 2 yrs prior to application.

(10) POUND. **(a)** Confinement of. The Village Dog Catcher or any other officer appointed by the Village Board shall apprehend any dog running at large within the Village or which does any of the things prohibited under sub. (8) above and confine the same in a suitable dog pound.

(b) Enforcement. The Village Dog Catcher or his qualified assistants shall be responsible for the apprehension and confinement of dogs in a pound as herein provided and such officer shall apprehend and confine dogs as provided in this section and may enforce this section including the right to commence actions for the collection of any forfeiture imposed by this chapter. Such action shall be brought in the name of the Village. The Dog Catcher shall receive no compensation, unless established by a separate resolution of the Village Board.

(c) Disposition of Unclaimed Dogs. The keeper of the pound shall keep all dogs apprehended for 6 days at the pound (unless sooner claimed by the owner or keeper) and if any dog is not reclaimed by the rightful owner within such time, the dog may be sold for the amount incurred in apprehending, keeping and caring of the dog or it may be destroyed in a proper and humane manner.

(d) Owner or Keeper to Pay Costs. The owner or keeper of any dog so confined may reclaim such a dog at any time before the same is disposed of, upon payment of all costs and charges incurred in apprehending, keeping and caring for the dog. Such costs and charges may include expenses for inoculations or other medical treatment of the dog. The owner or keeper's

payment of costs and charges incurred in apprehending, keeping and caring for the dog shall be made directly to the Village Clerk.

(e) Owner or Keeper. to Post Bail. The owner or keeper of any dog so confined shall, in addition to any costs required to be paid under par. (d) above, post bail in the following amounts prior to reclaiming such dog:

1. First offense involving such dog within one calendar year - \$15.
2. Second offense involving such dog within one calendar year - \$80.
3. Third and any subsequent offense involving such dog within one calendar year - \$100.

(11) **HOBBY KENNEL PERMIT.** The owner of dogs in compliance with the terms of this section may apply for a hobby kennel permit to keep in excess of 3 dogs 5 mos. Of age or older but not to exceed 5 dogs. A hobby kennel permit will be granted by the Village Board only under the following terms and conditions:

(a) The owner must establish, to the satisfaction of the Board, that they intend to keep such dogs only for hobby purposes and that the sale of dogs will not be a normal practice of the hobby. Dogs qualifying for a hobby kennel permit will be hunting dogs used by the owner for hunting, show dogs where the owner is only showing the dogs as a hobby, field trial dogs and any other category of hobbies in which dogs are involved. Under no circumstances will dogs be kept or boarded for others under this permit.

(b) The applicant must be able to prove to the satisfaction of the Village Board that *he* is the owner of all dogs being kept in the hobby kennel.

(c) No hobby kennel permit will be granted unless the applicant files with the Village Board written permission from all adjoining property owners and tenants within 300' of the property under consideration for the hobby kennel permit. Evidence that any owner or tenant within such 300' objects to such hobby kennel permit will be sufficient to deny the applicant the right to the permit. Owners and tenants affected by this paragraph will be those that are in existence at the time of the hobby kennel permit application.

(d) After the applicant for a hobby kennel permit has filed a written application for such a permit, the Village Board will hold a public hearing on such permit and will mail notices of such hearing to all owners and tenants within 300' of the property of the applicant. Applicant will pay to the Village an annual fee of \$25 and actual costs incurred by the Village in notifying the interested parties and holding the public hearing.

(e) The hobby kennel permit shall be granted for a period of one year and is subject to immediate cancellation in the event the Village Board

receives any complaints regarding the operation of the hobby kennel. Hobby kennel permits may be renewed for successive one year periods on such terms and conditions as may be imposed by the Village Board. In the event the Village Board, at any time, revokes such hobby kennel permit, the holder of that permit will, within 30 days of such revocation, remove sufficient dogs from the property so that he will comply with par. (a) above. The possession of any dogs in excess of 3 after such 30 day period shall be deemed in violation of this section.