

ARTICLE I. IN GENERAL

Sec. 14-1. Nonconforming use.

Any person, who becomes nonconforming with respect to requirements set forth in section 14-12, may continue to keep the number of dogs or cats which that person had licensed in the village, prior to the effective date of the ordinance from which this section is derived. This nonconforming use exemption shall be valid while the person resides on the property listed on the license, and so long as the number of dogs and cats is not increased beyond the number existing as of the effective date of the ordinance from which this section is derived.

(Code 1991, § 12.10(17))

Sec. 14-2. Penalty for violation of chapter.

Any person violating any provision of this chapter shall be subject to section 1-4.

(Code 1991, § 12.10(15))

Sec. 14-3. State laws adopted.

The provisions of Wis. Stats. § 95.21 and Wis. Stats. ch. 174, exclusive of any penalties, are adopted by reference and are made part of this section, so far as applicable.

(Code 1991, § 12.10(1))

Sec. 14-4. Definitions.

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

Animal means any live, vertebrate creature, domestic or wild.

Animal at-large means when an animal is off the property of the owner and not under restraint.

Animal control officer means any person designated by the village police department, to enforce this chapter and statutes, adopted by reference, as they pertain to animal control.

Animal shelter means any facility operated by a humane society or municipal agency, or its authorized agents, for the purpose of impounding, or caring for, animals held under the authority of this chapter or law.

Confined means restriction of an animal at all times by the owner, or his agent, to a building, vehicle or other enclosure.

Domestic animal means any animal which normally can be considered tame and converted to home life.

Dwelling unit means a building, or portion thereof, designed or used exclusively for residential purposes.

Health officer means the county Humane Society which shall be contracted to be the health officer for the village.

Kennel means any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling of dogs or cats.

Licensing authority means the finance director/treasurer, or its delegated collecting agent.

Owner means any person, who owns, harbors or keeps an animal. Where an animal is kept by a family, the head of the household shall be responsible for the requirements of this chapter. Any animal shall be deemed to be harbored if it is fed and sheltered.

Public nuisance means any animal which:

- (1) Molests passersby or passing vehicles;
- (2) Attacks persons or animals without provocation when they are peacefully conducting themselves, where they are lawfully entitled to be;
- (3) Trespasses on school grounds, parks or cemeteries;
- (4) Is repeatedly at large;
- (5) Damages private or public property;
- (6) Barks, whines, yelps or howls, or crows or makes other noises in an excessive, continuous or untimely fashion that greatly annoys or disturbs a neighborhood or number of persons.

Sec. 14-5. Enforcement of chapter provisions.

The civil and criminal provisions of this article shall be enforced by the police department, or its agents, or other persons authorized by the village board.

(Code 1991, § 12.10(13)(a))

Sec. 14-6. Animals and poultry not to run at large.

No person having in his possession or under his control any animal or fowl shall allow the same to run at large within the village.

(Code 1991, § 9.17)

Sec. 14-7. Horses and livestock on sidewalks.

No person shall lead or ride a horse, pony or other livestock upon any sidewalk.

(Code 1991, § 9.23)

Cross references: Streets and sidewalks, ch. 78.

Sec. 14-8. Keeping of animals; permit.

No person shall keep, sell or offer for sale any horses, cows, pigs, goats, sheep, bees, chickens, geese, ducks or other fowl, or any other domestic animal other than a dog, cat, or rabbit, and construct or use shelters therefor within the village without the written permit of the village board. Applications for a permit for authorized animals shall be made to the clerk. This subsection may not apply to the keeping of small caged birds, exclusive of pigeons, small caged animals or reptiles or aquatic and amphibian animals, solely as pets and not for sale.

(Code 1991, § 12.10(4))

Sec. 14-9. Restraint.

(a) All animals shall be kept under restraint and shall be not permitted to run at large.

(b) All owners shall exercise proper care and control of their animals to prevent them from becoming a public nuisance.

(c) Every vicious animal shall be confined by the owner within a building, or secure enclosure, and shall be securely muzzled or caged, whenever off the premises of the owner.

(Code 1991, § 12.10(6))

Sec. 14-10. Reporting of animal bite incidents.

All incidents occurring in the village in which any animal bites a person, or is suspected of biting a person, shall immediately be reported to the police department by any person having knowledge of such incident.

(Code 1991, § 12.10(7))

Sec. 14-11. Animal care.

(a) No owner shall fail to provide their animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with human care and treatment.

(b) No person shall beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse an animal, or cause, instigate or permit any dogfight, cockfight, or other combat between animals, or between animals and humans.

(c) No owner of an animal shall abandon such animal.

(d) Chickens or ducklings or other fowl may not be given away, bartered or sold.

(e) Any person who, as the operator of a motor vehicle, strikes a domestic animal, shall stop at once and shall immediately report such injury or death to the animal's owner. If the owner cannot be ascertained and located, such operator shall at once report the accident to the police department or to the Humane Society.

(f) No person shall expose any poisonous substances, whether mixed with food or not, so that such substances shall be liable to be eaten by any animal, provided that it shall not be unlawful for a person to expose on his own property, poisons designed for the purpose of rodent or pest extermination. This subsection shall not prohibit health department personnel or licensed pest control operators from providing rodent or pest control services.

(Code 1991, § 12.10(9))

Sec. 14-12. Keeping of pets.

No person or household shall keep more than five animals, the maximum number of animals being two of any one species on such land/parcel, or in a dwelling unit if in a multiple building, with the exception of a litter of pups or kittens, which may be kept for a period of time not to exceed five months from birth.

(Code 1991, § 12.10(10)(a))

Sec. 14-13. Keeping of wild or vicious animals.

(a) No person shall keep or permit to be kept on their premises, any wild or vicious animal for display or exhibition purposes, whether gratuitously or for a fee. This chapter shall not be construed to apply to zoological parks or circuses, or to nonpoisonous snakes exceeding three feet in length which are kept and displayed for educational purposes in village public or parochial schools.

(b) No person shall keep, or permit to be kept, any wild animal as a pet.

(Code 1991, § 12.10(11))

Sec. 14-14. Animal waste.

(a) The owner or person having immediate control of an animal shall promptly remove and dispose of, in a sanitary manner, any excreta left or deposited by the animal upon public or private property.

(b) It shall be unlawful for any person to permit a dog or cat, to be on such property, public or private, not owned or possessed by such person, unless such person has, in his immediate possession, an appropriate means of removing animal excreta. This shall not be applicable in cases in which a person is being assisted by a Seeing Eye dog.

(c) All pens, yards, structures or areas where animals are kept shall be maintained in a nuisance-free manner. Droppings and manure shall be removed regularly and disposed of properly so not to attract insects or rodents, become unsightly or cause objectionable odors.

(Code 1991, § 12.10(12))

Cross references: Solid waste, ch. 74.

Sec. 14-15. Ordering dogs and cats confined.

Whenever the safety of the public shall require it, the village president, by notice published in the official paper of the village, shall order that for a period of 20 days, from and after the date of the notice, no dogs and/or cats shall be permitted to go abroad in any streets, lanes, alleys or public places in the village without being properly muzzled with a secure muzzle, or being led by a chain or other secure fastening.

(Code 1991, § 12.10(14))

Sec. 14-16. Records.

Pet shops and animal dealers shall keep a record of all sales of dogs, cats and ferrets. The record shall contain the date and source of acquisition of the animal and the name, address and telephone number of the purchaser. The record of such sale must be kept at least one year, and all records shall be subject to inspection by the police department or its agents, or any employee of the department of health.

(Code 1991, § 12.10(16))

Sec. 14-17. Feeding of waterfowl on village owned/controlled property.

(a) Findings. The village board of trustees finds that the feeding of ducks, geese, and other waterfowl on village owned or controlled lands results in an increase in the population of said waterfowl and that said increased population results in an increase in excrement from said waterfowl. The village board of trustees further finds that the presence of increased waterfowl excrement on village owned or controlled lands constitutes an unsanitary condition that poses a potential health risk and results in decreased enjoyment and utility of effected village owned and controlled property.

(b) Prohibited. No person shall feed, or cause to be fed any ducks, geese, or other waterfowl on any village owned or controlled property.

(c) Signs, posting. The director of public works shall cause to be erected appropriate no feeding signs in all village parks and at such other locations as, from time-to-time, the director of public works shall determine to be areas of increased waterfowl activity.

(Ord. No. 658-01, § 1, 5-14-2001)

Secs. 14-18--14-35. Reserved.

ARTICLE II. IMPOUNDMENT

Sec. 14-36. Procedures.

(a) Unrestrained and nuisance animals shall be taken by the police or its agents and impounded in a temporary or permanent animal shelter and there confined in a humane manner.

(b) When an animal is causing a public nuisance and its owner cannot be contacted at the time of the complaint, it may be impounded by the police department or its agents, after an attempt to contact the owner is unsuccessful. After impoundment, reasonable attempts shall be made to contact the owner.

(c) An owner reclaiming an impounded animal shall pay the accrued impoundment fee and comply with provisions of article III of this chapter.

(d) Any animal not reclaimed by its owner within seven days becomes the property of the local government authority or humane society, and shall be placed for adoption in a suitable home or humanely euthanized.

(Code 1991, § 12.10(8))

Sec. 14-37. Pursuit of at-large animals; interference with authorized officers.

Police department and Humane Society personnel are authorized to catch and impound, at-large animals with such authorization to include the pursuit of animals upon the premises of the owner, or other private property. It shall be a violation of this chapter to interfere with the Humane Society officer, law enforcement officer, or a department of health employee in the performance of their duties.

(Code 1991, § 12.10(13)(b))

Secs. 14-38--14-60. Reserved.

ARTICLE III. LICENSING, PERMITS AND RABIES CONTROL

Sec. 14-61. License.

- (a) Required. Any person owning, keeping, harboring or having custody of any dog or cat over five months of age within the village must obtain a license as provided in this section.
- (b) Application. Written application for licenses shall be made to the village, which shall include the name and address of the applicant, description of the animal, the appropriate fee, and a rabies certificate issued by a licensed veterinarian or antirabies clinic.
- (c) Period of validity. If not revoked, a license for the keeping of dogs and cats shall be for a period of one year.
- (d) Deadline for application. Application for a license must be made within 30 days after obtaining a dog or cat over five months of age, except that this subsection will not apply to a nonresident keeping a dog or cat within the municipality for not longer than 30 days.
- (e) Exception; Seeing Eye dogs. License fees shall not be required for Seeing Eye dogs for blind or deaf persons, mobility impaired persons or governmental police dogs. Every person owning such a dog shall receive annually a free dog license upon application.
- (f) Issuance; tags. Upon acceptance of the license application and fee, the licensing authority shall issue a durable tag stamped with an identifying number and the year of issuance. Tags should be designed so that they may be conveniently fastened or riveted to the animal's collar or harness.
- (g) Tags to be worn at all times. Dogs and cats must wear license and rabies vaccination tags at all times when off the premises of the owner. Exceptions would include show dogs or cats during competition.
- (h) Recordkeeping. The licensing authority shall maintain a record of the identifying numbers of all tags and shall make this record available to the public.
- (i) License year. The license year commences on January 1 and ends on the following December 31. Application for a license may be made 30 days prior to the license year. Persons applying for a license during the licensing year shall be required to pay 50 percent of the fee stipulated in this section if the animal becomes five months of age after July 1 of the licensing year.
- (j) Late fee. The finance director/treasurer, or agent, shall assess and collect a late fee set by resolution of the board if the owner fails to obtain a license prior to February 1, of each year, or within 30 days of acquiring ownership of a licensable animal, or if the owner failed to obtain a license on, or before, the animal reaches licensable age.
- (k) Issuance; fees. A license shall be issued after showing evidence of rabies vaccination and payment of the applicable fee:

- (1) For each dog or cat not sterile: a fee set by resolution of the board.
- (2) For each dog or cat rendered sterile: a fee set by resolution of the board.

Evidence of neutering, spaying or other method of rendering the animal sterile, from a licensed veterinarian, will be required.

(l) Duplicate license. A duplicate license may be obtained upon payment of a replacement fee set by resolution of the board.

(m) Use for other animal. No person may use any license for any animal other than the animal for which it was issued.

(Code 1991, § 12.10(3)(a))

Sec. 14-62. Rabies vaccination.

(a) Required. The owner of a dog or cat shall have the animal vaccinated by a veterinarian within 30 days after the animal reaches four months of age, or if an owner obtains, or brings an animal into this village, that has reached five months of age, unless the animal has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state. The owner of an animal shall have the animal revaccinated:

- (1) Within one year after initial vaccination;
- (2) Before the date that the immunization expires as stated on the certificate;
- (3) If no date is specified, within one year after the previous vaccination.

(b) Biting or scratching incidents involving vaccinated animals; confinement by owner. If any animal, for which the owner holds a current rabies certificate, is involved in a bite or scratch incident, the owner shall isolate and confine the animal, under the supervision of a licensed veterinarian for at least ten days from the date of the incident. Supervision of the veterinarian includes, at a minimum, examination of the animal on the first day, on the tenth day, and on the intervening day.

(c) Confinement of biting or scratching unvaccinated animal by veterinary hospital. Any animal that has not been vaccinated, or has not been revaccinated within the prescribed times, involved in a bite or scratch incident must be confined at a veterinary hospital, or a place designated by the village board.

(d) Owner responsibility for expenses. The owner of any animal involved in a bite or scratch incident is responsible for any expenses incurred.

(Code 1991, § 12.10(3)(b))

Sec. 14-63. Kennel license.

Kennel licenses are not available in the village.

(Code 1991, § 12.10(3)(a)2)

Sec. 14-64. Permit.

(a) Regulations for issuance. The village board shall promulgate regulations for the issuance of permits and shall include requirements for the humane care of all animals and for compliance with the provisions of this chapter and other applicable laws. The village board may amend such regulations from time to time, as deemed desirable for public health and welfare and for the protection of the animals.

(b) Issuance; fee. Upon a showing by an applicant for a permit that he is willing and able to comply with the regulations promulgated by the village board, a permit shall be issued upon payment of the applicable fee. No fee shall be required for any veterinary hospital (clinic), animal shelter or government-operated zoological park.

(Code 1991, § 12.10(4))

Sec. 14-65. License and permit issuance and revocation.

(a) The village board may revoke any license or permit and/or a penalty shall be imposed in accordance with section 1-4, if the person holding the license refuses or fails to comply with this chapter, or any law governing the protection and keeping of animals.

(b) Any person whose license or permit is revoked shall, within ten days thereafter, humanely dispose of all animals owned, kept or harbored. No part of the license or permit fee shall be refunded. For any animal, a receipt from an animal shelter, veterinarian or other individual must be obtained as proof of proper disposal.

(c) It shall be a condition of the issuance of any license or permit that the police department or its agents shall be permitted to inspect all animals and the premises where the animals are kept at any time, and shall, if permission for such inspection is refused, cause the permit or license of the refusing owner to be revoked.

(d) If the applicant has withheld or falsified any information on the application, the licensing authority shall refuse to issue a license or permit.

(e) No person, who has been convicted of cruelty to animals, shall be issued an animal license or permit.

(Code 1991, § 12.10(5))