

#6-92

AN ORDINANCE TO  
REGULATE AND LICENSE CATS  
AND DEALING WITH THE CARE OF ANIMALS  
IN THE VILLAGE OF NORTH PRAIRIE

THE VILLAGE BOARD OF THE VILLAGE OF NORTH PRAIRIE DO  
ORDAIN AS FOLLOWS:

WHEREAS, the number of cats roaming at large in the  
Village of North Prairie has become a nuisance; and

WHEREAS, cat owners are not cooperating by limiting  
the number of cats, controlling their cats roaming and  
providing proper feed and shelter for said cats.

NOW, THEREFORE, BE IT HEREBY ORDAINED:

SECTION ONE. LICENSE

1. LICENSE REQUIRED. (a) Every landowner, owner, tenant, keeper or  
harborer of a cat more than five months of age shall annually on or  
before April 1 pay a cat license fee and obtain a license for each  
cat owned or possessed.

(b) The cat license fee shall be as established from time to time by  
resolution of the Village board.

2. CLERK TO ISSUE LICENSE. (a) Upon payment of the required fee, and  
upon being furnished with evidence that each cat has been currently  
immunized against rabies, the Village Clerk may issue the requested  
cat license.

(b) The applicant may submit written proof that said cat has been spayed or neutered prior to issuance of the license. The Village Clerk may keep a file of said written proof of spaying or neutering for each respective cat and not require new proof each year.

3. CATS RUNNING AT LARGE. It shall be unlawful for the landowner, tenant, owner, keeper or harbinger in control, custody or possession of any cat to permit the same to run at large at any place within the Village unless said cat is accompanied by and under the immediate control of the owner or keeper of said cat. This section does not prohibit the owner or keeper of a cat from allowing the cat to run at large upon premises owned or occupied by the owner or keeper of that cat. No cat shall be deemed or considered to be under the immediate control of any person if such cat is on private or public property other than the property of the owner, keeper or harbinger of the cat unless that cat is in fact on a leash held by said owner or keeper.

4. IMPOUNDMENT OF CATS. (a) Confinement of Cats. The Police Department or any other officer appointed by the Board shall apprehend any cat running at large within the Village (except when the cat is on the premises of its owner or keeper or is accompanied by and under the control of its owner or keeper) and confine the same in a suitable animal shelter as designated from time to time by the Village Board.

(b) Enforcement. The Village Board shall from time to time appoint a qualified officer to apprehend and confine cats in a shelter as herein provided and such officer shall have the power and authority to apprehend and confine cats as provided in this ordinance and shall have the power and authority to enforce this ordinance, including the

right to commence actions for the collection of any forfeiture imposed by this section. Such action shall be brought in the name of the Village. Such officer shall be paid such compensation as the Board shall determine by resolution from time to time.

(C) Disposition of Unclaimed Cats. The keeper of the shelter shall keep all cats apprehended as hereinbefore provided for a period of 7 days at the animal shelter (unless sooner claimed by the owner or keeper), and if any cat is not claimed by the rightful owner within such time, the cat may be sold for the amount incurred in the apprehending, keeping and care of the cat, or it may be destroyed in a proper and humane manner.

(d) Owner or Keeper to Pay Costs. The owner, keeper or harbinger of any cat so confined may reclaim such a cat at any time before the same is disposed of as hereinbefore provided, and upon payment of all costs and charges incurred in the apprehension, keeping and care of the cat. Such fees shall be established from time to time by resolution of the Village Board. As a further condition of release, said officer shall require that before release the owner shall, if said cat is not licensed, obtain a license therefore from the proper Village officer.

5. VICIOUS CATS. It shall be unlawful to keep a vicious cat within the Village. A showing that a cat has bitten, attacked or injured any person shall constitute a prima facie showing that such cat is vicious.

6. NUMBER OF CATS LIMITED. (a) It shall be unlawful to keep more than two cats over the age of five (5) months upon any premises within any

district within the village except in a shelter duly authorized by the Village. Operating farms located in the Agriculture Zoning District will be permitted to have a maximum of six (6) cats over the age of five (5) months.

(b) The premises means all contiguous lands owned or occupied by the same owners or tenants.

## 7. CARE OF ANIMALS.

### (a) Cruelty.

1. No person may cause, allow or themselves cruelly beat, frighten, overburden, neglect or abuse any animal or bird, or use any device or chemical substance by which pain, suffering or death may result, whether the animals belong to the person or another, except that reasonable force may be used to drive off vicious or trespassing animals.

2. Food and Water. No person owning or having custody of any animal or bird may neglect or fail to provide it with necessary nourishing food at least once daily and provide a constant supply of clean water to sustain the animal or bird in good health.

### (b) Shelter.

1. No person may fail to provide any animal or bird in his or her care with shelter from inclement weather to insure the protection and comfort of the animal or bird.

2. When sunlight is likely to cause overheating or discomfort to any

animal or bird, shade shall be provided by natural or artificial means to allow protection from the direct rays of the sun, but still allow air to pass to keep the animal cool.

3. Cats kept outdoors shall be provided with moisture proof and wind proof shelter of a size which allows the animal to turn around freely and to easily sit, stand and lie in a normal position and to keep the animal clean, dry and comfortable. Whenever the outdoor temperature is below 40 degrees F., clean, dry bedding material shall be provided in such shelters for insulation and to retain the body heat of the animal. Automobiles shall not be used as animal shelters.

(c) Area to be Kept Clean. Any area where an animal is housed, or allowed to remain shall be kept clean of feces, animal waste, and other substances in order to keep the animal health and comfortable.

(d) Leashes. Chains, ropes or leashes shall be placed or attached that they not be entangled with another animal or object and shall be of sufficient length in proportion to the size of the animal to allow the animal proper exercise and convenient access to food, water and shelter. A leash shall be located so as not to allow the animal to trespass on public or private property nor in such a manner as to cause harm or danger to persons or other animals. A leash shall be located so as not to allow the animal to jump over an obstacle where the leash can become entangled and the animal choke.

(e) Enforcement. The Police Department or Humane Officer may enforce any provision of this section.

(f) Animal Removal. The Police Department or Humane Officer may

confiscate and remove animals from a premises for violation of any part of this section. Animals removed because of such action may be stored or disposed of in a humane manner by the animal shelter or its designee. Probable cause that such a violation exists is sufficient reason to confiscate such animal. Conviction is not required.

(g) Exception. This section does not apply to extermination of rats, mice or other vermin.

8. CAT EXCREMENT: 1)DISPOSITION. The owner, keeper or person having physical possession of a cat shall remove and properly dispose of any cat excrement deposited by said animal immediately after the animal has relieved itself whether that animal be on private or public property.

9. COMPLAINT BY CITIZEN. Should a violation of this ordinance be reported by a citizen, the Village shall not be required to pursue prosecution unless and until the said complaining citizen shall present his/her complaint in writing and notarized on forms supplied by the Village of North Prairie. Said complaint is filed with the Court for prosecution, he/she will cooperate fully with the Village Attorney in said prosecution including, if necessary, testifying in a Court trial in support of said complaint. Any failure by a complaining citizen to cooperate with the Village shall result in immediate dismissal of the complaint.

#### SECTION TWO: PENALTY

Any person who shall violate any provision of this ordinance or who shall fail to obtain a license as required herein shall be required to forfeit not less than \$20.00 nor

more than \$200.00, together with all costs of prosecution also including any costs incurred by the Village in caring for said cat, and in default of payment thereof, shall be imprisoned in the County Jail until said forfeiture is paid, but such imprisonment shall not exceed sixty (60) days.

SECTION THREE: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and not affect the validity of all other provisions, sections, or portions thereof of the ordinance which shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION FOUR: EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted this 12'th day of   MARCH   1992.

BY THE VILLAGE BOARD OF THE  
VILLAGE OF NORTH PRAIRIE:  
JAMES HANSEN, VILLAGE PRESIDENT