

TOWN OF WILSON

An Ordinance establishing an Animal Control Officer and animal control regulations.

The Town Board of the Town of Wilson, Eau Claire County, does ordain as follows:

Section 1. PURPOSE. The purpose of this Ordinance is to regulate dogs and other animals within the limits of the Town and to safeguard and protect property and the general public and to provide regulations to prevent cruelty to all animals.

Section 2. ANIMAL CONTROL OFFICER. The Town Board may appoint, after receiving recommendations from the Eau Claire County Humane Association, an Animal Control Officer to serve at their pleasure. The compensation for said Officer shall be established from time to time by the Town Board by resolution. The Animal Control Officer shall be responsible for the proper enforcement of the provisions of this Ordinance and for the enforcement of Chapters 95.21, 174 and 951 of the Wisconsin Statutes. The Officer shall serve in the capacity of humane officer for the Town as provided in Wisconsin Statutes.

Section 3. DEFINITIONS. Unless the context requires otherwise, the following definitions shall apply:

A. Animal: shall mean a living creature, not human, and being either domestic or wild.

B. Animal Shelter: shall mean the animal shelter operation of the Eau Claire County Humane Association which is the designated place for the proper care of impounded animals held under the authority of this Ordinance.

C. At Large: shall mean an animal off the premises of the owner. An animal properly licensed as required by this Ordinance shall not be deemed at large if such animal: (1) is on the premises of the owner, or (2) is under the control of a person competent to restrain and control the animal, either by leash, cord, chain, or other similar restraint not more than ten feet in length, or properly restrained within a motor vehicle, or (3) is properly housed in a veterinary hospital or licensed kennel, pet shop, or the designated animal shelter.

D. Competent Person: shall mean a person of such maturity as to be able to exercise control over an animal.

E. Dog: shall mean and include members of the canine species, male or female, altered or neutered.

F. Owner: shall mean any person(s) owning, keeping, or harboring a dog or other animal.

Section 4. RUNNING AT LARGE PROHIBITED. No owner of any animal shall allow such animal to run at large within the limits of the Town. The owner of said animal shall be held responsible and subject to penalty. Forfeiture: \$150 plus court costs.

Section 5. UNLAWFUL TO CAUSE HARM OR INJURY. No person shall cause, permit or suffer to permit a dog or other animal to attack or kill any person or domestic animal. This Ordinance applies to

any owner of the offending animal, any person charged with its care or any person providing its care. It is not a defense to a charge of violating this provision that the attacking and killing occurred all or in part on premises owned, controlled or occupied by the defendant. Forfeiture: \$150 plus court costs.

Section 6. UNLAWFUL TO PLACE PERSONS IN FEAR OF INJURY. No person shall cause, urge, permit or suffer a dog or other animal to place any person in reasonable fear of attack or injury. This Ordinance does not apply to acts of animals owned by the person on whose premises the act occurs if reasonable notice is given to the public that the premises are guarded or occupied by a dangerous animal, the premises are posted against trespassing or the animal is confined within a fence or building. The owner of an animal is exempt from prosecution under this Ordinance for any event which occurs off the owner's premises unless the owner has been notified or knew prior to the offense that a previous offense under this Ordinance had been committed, even though not prosecuted. Forfeiture: \$150 plus court costs.

Section 7. CRUELTY TO ANIMALS PROHIBITED. No person shall torture, torment, deprive of necessary subsistence, mutilate, cruelly beat or cruelly kill any animal, or unnecessarily fail to provide the same with proper food, drink, shelter or protection from the weather or cruelly abandon same or commit any other act or omission by which unjustifiable pain, distress, suffering or death is caused or permitted to any animal either maliciously, willfully, or negligently. Forfeiture: \$150 plus court costs.

Section 8. ANIMAL NUISANCES. The owner of any dog or other animal shall not permit such dog or other animal to become a nuisance to the public by any of the following:

A. Being an annoyance or disturbance to any person other than the owner by frequent and habitual barking, howling, yelping, hissing, meowing or fighting.

B. Defacing, scratching, or marring any personal property other than that of the owner of said animal.

C. Trespassing upon any property where food or drink is sold unless provided for otherwise under Statutes.

Forfeiture: \$150 plus court costs.

Section 9. OWNER OR PERSON IN CHARGE OF ANIMAL TO KEEP PLACE IN SANITARY CONDITION. The owner or person in charge of any dog or other animal shall keep the premises where animal is kept in a clean and sanitary condition at all times. Forfeiture: \$150 plus court costs.

Section 10. ANIMALNAPPING. No person shall take the dog or other animal of another from one place to another without the owner's consent or cause such a dog or other animal to be confined or carried out of the Town or held for any purpose without the owner's consent. This section does not apply to enforcement officials including the Animal Control Officer engaged in the exercise of official duties under this Ordinance. Forfeiture: \$150 plus court costs.

Section 11. APPREHENSION AND IMPOUNDMENT. It shall be the duty of the Animal Control Officer to cause to be taken up and impounded any dog or other animal found to be at large within the Town contrary to the provisions of this Ordinance or reasonably believed by the Animal Control Officer to have committed one or more of the acts described in Section 5 or Section 6 above which would subject the owner thereof to penalty.

Section 12. IMPOUNDMENT AND DISPOSAL FEES. Impoundment and disposal fees shall be established and collected as may be determined from time to time by the designated animal shelter of the Town.

Section 13. ANNUAL DOG LICENSE REQUIRED. The owner of all dogs five months of age or older shall annually obtain a license therefor as hereinafter provided. Forfeiture: \$150 plus court costs.

Section 14. DOG LICENSING PROCESS.

A. The owner or keeper of a dog for which a license is required shall before the first day of April of each year request a license from the Town Treasurer or other authorized agent of the Town for each dog owned by him.

B. A fee for each license shall be charged as provided for by Town Ordinance. Applications made on or after April 1st of each year shall be delinquent and a late fee of \$5.00 for each license shall be charged in addition to the license fee.

C. When requesting a license, the owner or keeper of the dog must present a veterinarian's certificate of rabies vaccination before the license may be issued.

Section 15. VACCINATION OF DOGS. The owner of any dog in the Town over the age of six months shall have such dog inoculated for the prevention of rabies by a licensed veterinarian. The owner shall be responsible that evidence of said anti-rabies inoculation be attached to a substantial collar kept on the dog. Such evidence of inoculation shall be removed by the owner when the effect of the vaccination as stated by the veterinarian expires. Forfeiture: \$150 plus court costs.

Section 16. LICENSE TAG. Upon receipt of the required fee and the veterinarian's certificate of rabies vaccination, the Treasurer shall deliver or mail to the applicant a license which shall be in the form of a metal tag.

Section 17. USE OF LICENSE TAG. License tags shall be attached by the owner to a substantial collar and during the term of the license shall be at all times kept on the dog for which the license was issued. Upon expiration of said license, the owner shall remove said tag from the animal. Forfeiture: \$150 plus court costs.

Section 18. TRANSFER OR CHANGE OF OWNERSHIP. When the permanent ownership of a dog is transferred, the license may be transferred by the Treasurer upon notification by notation on a license record giving the name and address of the new owner.

Section 19. TAG NOT TRANSFERABLE. A dog license tag issued for one dog shall not be transferable to another dog.

Section 20. DURATION OF LICENSE. All licenses shall expire on January 1st of the year following the date of issuance.

Section 21. EXEMPTIONS TO LICENSE REQUIREMENTS. The requirements of licensing dogs shall not apply to such dog if:

- A. In transit through the Town only.
- B. First thirty days of residency by the owner.
- C. Housed in a veterinary hospital or the designated animal shelter.
- D. Housed temporarily in an animal grooming shop.