

CHAPTER 62
ANIMALS

62.01 Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

- (a) "Animal" means both male and female sex of either wild or domesticated species.
- (b) "Cat" means any feline animal, male or female, sexed or neutered.
- (c) "Dog" means any canine animal, male or female, sexed or neutered.
- (d) "Owner" means any person keeping, harboring, or having charge or control of, or permitting any dog or cat to habitually be or remain on, or be lodged or fed within, such person's house, yard or premises. This term shall not apply to veterinarians or kennel operators.
- (e) "Vicious Dog" means any dog, which bites, attacks or injures a human being or another domestic animal without provocation.
- (f) "Exotic" means any animal that is not native to the area or is kept in violation of state and federal regulations.
- (g) "Feral" means any domestic animal that lives in the wild without the care of a human provider.
- (h) "Native and wild" animals means animals that may not be kept as pets per State and Federal law.
- (i) "Agricultural animals" means those that are kept on working farms as distinguished from household pets.

62.02 Sanitary Standards for the Keeping of Domesticated Animals

Domesticated animals kept within a private premises or dwelling shall be so maintained as not to cause a rubbish problem, a potential rodent problem or an offensive odor problem.

62.03 Animal Feces

Any person owning or having control of any animal shall clean up the feces of such animal immediately and dispose of it in a sanitary manner. No animal feces shall be permitted to remain exposed upon any private or public property. This excludes agricultural animals.

62.04 Rabies Vaccination Required for Domestic Animal

It shall be unlawful for the owner of any domesticated animal, other than a dog or cat, to keep or maintain such domesticated animal within the Town unless it has been vaccinated by a licensed veterinarian with an anti-rabies vaccine within one (1) year preceding the date on which such domesticated animal is kept or maintained. Proof of the requisite vaccination shall be on a collar or harness securely attached to the body of the domesticated animal, showing that the animal has been, within the current calendar year, vaccinated against rabies.

62.05 Dogs and Cats Running at Large

No owner of any dog or cat shall permit such dog or cat to run at large within the Town. Any person owning or having charge, custody, care, or control of any dog or cat within the Town shall keep such animal exclusively upon his own premises, either by personal and

direct supervision, or upon an appropriate chain or tie. The dog or cat may be off the premises if it is restrained by a substantial leash or chain and fully under the control of its handler. This excludes hunting dogs when engaged in hunting or pursuing game animals under the supervision of their owners.

62.06 Keeping of Vicious Dogs

- (a) Confinement. All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled, as set forth in subsection (b) below. All structures erected to house vicious dogs shall comply with all zoning and building regulations of the Town of Wilson. All structures shall be kept in a clean and sanitary condition.
- (b) Leash and Muzzle. No person owning, harboring, or taking care of a vicious dog may permit such dog to go outside its kennel or pen unless the dog is securely leashed with a leash no longer than four (4) feet in length. No person may permit a vicious dog to be kept on a chain, rope, or other type of leash outside its kennel or pen unless a person is in physical control of the leash. A vicious dog on a leash outside the dog's kennel shall be muzzled with a device sufficient to prevent the dog from biting persons or other animals.
- (c) Confinement Indoors. No vicious dog may be kept in any portion of a house or dwelling unit that would allow the dog to exit the building on its own volition.
- (d) Signage. All owners, keepers or harborers of vicious dogs shall display in a prominent place on their premises a sign easily readable by the public, stating "Danger - Vicious Dog". A similar sign must be posted on the kennel or pen of the dog.
- (e) Vicious Dog Determination. All complaints relating to vicious dogs shall be referred to the Town Constable or the Sheboygan County Sheriff's Department. Once notified of a formal complaint, the Town Board shall schedule a hearing giving notice and opportunity to be heard to the owner. The Town Board, upon a majority vote, shall make a determination as to whether or not such dog is "vicious" as defined in section 62.01(e), above. Upon a determination that a dog is "vicious", the Town Board shall inform the owner, keeper or harborer of the dog and shall provide such person with a copy of this section.
- (f) Compliance. Within fifteen (15) days of the determination that a dog is vicious, as provided in subsection (e) above, the owner of a vicious dog shall either comply with all provisions of this section or dispose of such dog.
- (g) Penalty. A person who violates any provision of this Section shall forfeit not more than \$1,000.00.

62.07 Dog License Required

- (a) The owner of a dog that is kept in the Town of Wilson, which dog is more than five (5) months of age on January 1 of any year, or five (5) months of age within the license year, shall annually, or on or before the date the dog becomes five (5) months of age, pay the dog license tax and obtain a license. The dog license tax is \$7.00 for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is neutered or spayed, and \$14.00 for an unneutered male dog or unspayed female dog, or one-half (1/2) of

these amounts if the dog became five (5) months of age after July 1 of the license year. The license year commences on January 1 and ends on the following December 31. The Town Treasurer shall assess and collect a late fee of \$25.00 from every owner of a dog five (5) months of age or over if the owner failed to obtain a license prior to April 1 of each year, or within thirty (30) days of acquiring ownership of a licensable dog or if the owner failed to obtain a license on or before the dog reached licensable age. All late fees shall be paid into the Town treasury as revenue of the Town.

- (b) Any household pet kept for hobby breeding shall be declared when annual license(s) are paid.
- (c) Kennels, which are defined in the Town's Zoning Ordinance, are only allowed to be located in agriculturally-zoned areas, provided the kennel owner first obtains a conditional use permit pursuant to Section 8 of the Town's Zoning Ordinance, as amended.
- (d) Exotic animals may not be released into any area in the Township and they must be registered with the Town Treasurer in the same manner as dog.
- (e) Feral cats may not be harbored and may be trapped by anyone in a humane Animal trap and surrendered to a Constable who shall remove it to the Sheboygan Animal Shelter.

62.08 Inspection of Premises Where Domestic Animals Are Kept

The Town Chairperson, or his or her designee, is authorized to request the Sheboygan County Sheriff's Department ("Sheriff") to investigate a suspected violation of this Ordinance or state law regulating animals. In the course of investigation of suspected violations of this Ordinance or state law, the Sheriff may enter any building, vehicle, or place where animals may be present for the purpose of inspection, examination of animals, or the gathering of evidence. If the building, vehicle, or place to be entered is not public, and consent of the Owner or person in charge is not obtained, entry shall be under authority of a special inspection warrant issued under Wis. Stat., § 66.0119 or a search warrant issued pursuant to Wis. Stat., § 173.09. The preceding is in addition to all other powers available to the Sheriff under Wisconsin law.

62.09 Rabies Vaccination Required for Dog License

Before an applicant may obtain a dog license, he must have the dog vaccinated for rabies in accordance with the following procedures.

- (a) Proof of Vaccination. The applicant must show proof that the dog for which a license is to be issued has a current rabies vaccination in accordance with (b) herein. The proof of vaccination shall be on a form showing the owner's name and address, a description of the dog, date of vaccination, rabies vaccination tag number, and required vaccination date. The veterinarian shall issue a tag to the owner of the dog.
- (b) Vaccination. The owner of a dog shall have the dog vaccinated against rabies by a veterinarian within thirty (30) days after the dog reaches four (4) months of age, or within thirty (30) days after the dog is obtained or brought into the Town, unless the dog has already been vaccinated as evidenced by a current certificate of rabies vaccination. The owner of a dog shall have the dog revaccinated by a veterinarian before the date the immunization expires as stated on the certificate of vaccination.

62.10 Display of License and Rabies Tag.

All dogs kept within the Town are required to wear their license and rabies tag on a collar. The fact that a dog is without a license or rabies tag attached to a collar shall be presumptive evidence that a dog does not have the requisite license or tag.

62.11 Impoundment

Any individual authorized to act as a law enforcement officer in the Town of Wilson, or any pound authorized by the Town Board, may capture, restrain, or impound any untagged dog or any dog running at large. The Town shall attempt to notify the owner personally or by mail as soon as possible if the owner is known or can be ascertained with reasonable effort. Notice of impoundment of all animals, including any significant marks of identification, shall be posted at the pound as public notification of impoundment. Fees for impoundment shall be assessed and collected by the pound. Fees incurred by the Town for impounding a dog shall be charged to and paid by the owner if known. Any animals may be reclaimed by its owner during the period of impoundment upon payment of the pound fees. For those impounded because of lack of a license tag, its owner must furnish proof of a current valid license.

62.12 Injury Caused by Animal Bite.

No person shall permit any animal which he/she owns or of which he/she is the custodian, to attack, bite, or otherwise injure any other animal or person engaged in a lawful activity off of the property of the owner or custodian. A violation of any of the provisions of this Section shall be subject to the forfeitures set forth in this section, together with the costs of prosecution, and in default of payment of such forfeitures and costs, to imprisonment in the county jail until the forfeitures and costs are paid, for a term not to exceed thirty (30) days or failure to obtain a license and all other violations, a forfeiture of Fifty Dollars (\$50.00), nor more than Two Hundred Dollars (\$200.00).

62.13 Penalties for Violations.

- (a) For failure to obtain and maintain a current Conditional Use Permit for a Breeding or Boarding Kennel, a forfeiture of a monthly penalty in the amount of \$500.00 shall be paid, and if left unpaid assessed to the owner's Property Taxes. The owner of a kennel that is in non-compliance will be allowed sixty (60) days to conform to the conditions of the CUP and may obtain a renewal in good standing. The assessment of the above penalty shall continue to accumulate on a monthly basis, if the violations are not corrected.
- (b) A violation of any of the provisions of this chapter shall be subject to the forfeitures set forth in this section, together with the costs of prosecution, and in default of payment of such forfeitures and costs, to imprisonment in the county jail until the forfeitures and costs are paid, for a term not to exceed thirty (30) days.
- (c) For failure to obtain a license and all other violations, a forfeiture of Fifty Dollars (\$50.00), nor more than Two Hundred Dollars (\$200.00).

Section 2. Effective Date.

This ordinance shall be effective upon its adoption and publication as required by law.

Amended this 19th day of September 2016

Published as a Class I notice in *The Sheboygan Press* on the 21st day September 2016.

Posted in three places within the Town on the 20th day of September 2016.

Town of Wilson by John Ehmann, Town Chairman

Georgene Lubach, Clerk

UNOFFICIAL