

Ordinance No. 101-1

AN ORDINANCE AMENDING ORDINANCE NO. 101, AN ORDINANCE RELATING TO DOGS WITHIN THE LIMITS OF THE VILLAGE OF DORCHESTER, WISCONSIN

The Village Board of the Village of Dorchester does hereby ordain as follows:

The Title of the Ordinance is amended to read as follows:

AN ORDINANCE RELATING TO DOGS AND OTHER ANIMALS WITHIN THE LIMITS OF THE VILLAGE OF DORCHESTER, WISCONSIN

Sections 1-6, 9, 10 and 12 are amended as follows:

Section 1 - Number of Dogs and Other Animals.

- A. The keeping of an unlimited number of dogs or other animals in the Village is detrimental to the healthful and comfortable life of the Village's residents and businesses. The keeping of an unlimited number of dogs or other animals is, therefore, declared to be a public nuisance.
- B. No individual or family unit living together, or business, shall keep more than four dogs or four cats, with the exception that a litter of new born dogs or cats or a portion of a litter may be kept for a period of time not exceeding five months from birth, unless the premises be licensed as a kennel.

Section 2 - Unlawful to Harbor Vicious or Barking Dogs or Other Animals.

- A. It is unlawful for any person or business within the Village of Dorchester to own, harbor or keep any dog or other animal which:
 - 1) Habitually pursues any vehicle upon any public street, alley or highway in the Village.
 - 2) Assaults or attacks any person or destroys property.
 - 3) Is a large within the limits of the Village.
 - 4) Habitually barks or howls to the annoyance of any person or persons.
 - 5) Kills, wounds or worries any domestic animal.
 - 6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
 - 7) In the case of a dog, is unlicensed.

Section 3 - Removal of Dangerous Dogs or Other Animals.

- A. Whenever any dog or other animal, upon two separate written or oral complaints

of a least two separate adult residents not from the same family which has been filed with the Dorchester Police Department, is found to be customarily fierce or dangerous, or in the habit of biting, snapping or threatening any person, or is in the habit of attacking other domestic animals, such dog or other animal shall be removed from the Village by the Police Department or by the owner within a three month period after service of a written notice by an officer of the Dorchester Police Department, and upon failure to remove such animal, each day subsequent thereto shall be deemed a separate offense and the owner of such animal shall be subject to the forfeitures provided in this ordinance. In the alternative, such dog or other animal shall be kept enclosed within an enclosure or wall upon the premises of the owner, which premises shall bear a sign plainly displayed at every point of entrance giving notice of the presence of the dog or other animal. It is unlawful to remove such sign while the animal is confined within such enclosure.

- B. If a dog or other animal is causing severe personal injury, or may cause severe personal injury to a person, then an officer of the Dorchester Police Department may immediately dispose of the animal.

Section 4 - Removal of Barking Dogs or Other Animals.

Whenever it is found, upon the written or oral complaint of at least two adult residents, not from the same family, which has been filed with the Dorchester Police Department, that any dog or other animal habitually barks, howls, yelps, cries, screeches, or makes other noise which disturbs the peace, such animal shall be removed from the Village by the owner within a three month time period after service of a written notice by an officer of the Dorchester Police Department, and upon failure to remove such animal, each day subsequent thereto shall be deemed a separate offense and the owner of such animal shall be subject to the forfeitures provided in this ordinance.

Section 5 - Impounding of Dogs or Other Animals.

- A. Section 174.042 of the Wisconsin Statutes is adopted by reference, including any subsequent amendments or modifications.
- B. Whenever any police officer or other person designated by the chief of police finds any dog or other animal running at large, he or she shall, if possible, pick up and impound such animal. Whenever any impounded animal bears an identification mark, such as a collar or license tag, due diligence shall be used to notify the designated owner. If the owner is unknown or cannot be ascertained, then the officer shall post written notice in three public places, giving a description of the animal, stating where it is impounded and the conditions for its release. Said notices shall be posted within forty-eight (48) hours, Saturdays and Sundays excepted, after the officer has taken such animal into his or her possession.

- C. The owner of an animal may reclaim the animal upon payment at the Dorchester Police Department or the Village Clerk, an impoundment fee and a boarding fee. The boarding fee shall be the reasonable cost of keeping the animal. The impounding fee shall be twenty-five dollars (\$25) for the first impoundment, fifty dollars (\$50) for the second impoundment, one hundred dollars (\$100) for the third impoundment, and an additional one hundred dollars (\$100) for each consecutive impoundment thereafter within any twelve-month period.
- D. Animals not claimed by an owner seven (7) days after their impoundment may be disposed of as set forth in Section 174 of the Wisconsin Statutes.

Section 6 - Pens.

All pens or other structures wherein any dog or other animal is kept shall be constructed so as to be easily cleaned and kept in good repair.

Section 9 - Running at Large Unlawful.

- A. It is unlawful for any person owning or possessing any dog or other animal to permit the same to run at large.
- B. For the purposes of this ordinance, "running at large" means the presence of an animal at any place except upon the premises of the owner. An animal shall not be considered to be running at large if it is on a leash and/or under the control of a person physically able to control it.

Section 10 - Unlawful Acts.

- A. It is unlawful for any person owning or possessing a dog or other animal to permit such animal to go upon any sidewalk, driveway, or private lands or premises without the permission of the owner of such lands or premises and break, bruise, tear up, crush, injure or defecate or urinate on any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever.
- B. It is further unlawful for the owner of any animal to permit fecal matter which is deposited by it while off of its premises to remain on any street, alley, sidewalk, lawn, field or any public property, and it shall be solely the responsibility of the owner of the animal to immediately remove after deposit all fecal matter by shovel, scoop or like instrument and deposit the fecal matter in a manner approved by state or other local regulations.

Section 12 - Feeding and Care.

All dogs or other animals kept in the Village shall be properly cared for in terms of feed, water, grooming and shelter. Failure of an owner of an animal to properly care for the animal in

terms of feed, water, grooming and shelter shall be in violation of this ordinance.

Sections 14 and 15 shall be deleted.

All ordinances or parts of ordinances in conflict herewith are repealed.

Passed at a regular meeting of the Village Board this 11th day of May, 2004.

This ordinance shall be effective upon publication.

Bea Seidel, President
Bea Seidel, President

Aye 6

Nay 0

Judy Robida, Village Clerk
Judy Robida, Clerk