

## ORDINANCE NO. 101

### AN ORDINANCE RELATING TO DOGS WITHIN THE LIMITS OF THE VILLAGE OF DORCHESTER, WISCONSIN

**BE IT, HEREBY ORDAINED**, by the Village Board of the Village of Dorchester, Clark County, Wisconsin, as follows:

#### Section - 1 Number of Dogs.

A. The keeping of an unlimited number of dogs 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 is, therefore, declared to be a public nuisance.

B. No individual or family unit living together, or business, shall keep more than four dogs with the exception that a litter of pups 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.

It is unlawful for any person or business to knowingly keep or harbor any vicious dog or any dog which frequently or habitually barks, yelps or howls.

#### Section 3 - Removal of Dangerous Dogs.

A. Whenever any dog, upon two separate written or oral complaints of at 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 shall either be removed from the Village 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 dog, each day subsequent thereto shall be deemed a separate offense and the owner of such dog shall be subject to the forfeitures provided in this ordinance. In the alternative, such dog 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. It is unlawful to remove such sign while the dog is confined within such enclosure.

B. If a dog 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.

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 habitually barks, howls,

yelps and disturbs the peace, such dog 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 dog, each day subsequent thereto shall be deemed a separate offense and the owner of such dog shall be subject to the forfeitures provided in this ordinance.

#### Section 5 - Impounding of Dogs.

A. Section 174.046 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 running at large, he or she shall, if possible, pick up and impound such animal. Whenever any impounded dog 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 dog, 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 dog into his or her possession.

C. The owner of a dog may reclaim the dog upon payment at the Dorchester Police Department or the Village Clerk of both 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. Dogs not claimed by an owner seven (7) days after their impoundment may be disposed of as set forth in Section 174.046 of the Wisconsin Statutes.

#### Section 6 - Pens.

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

#### Section 7 - Licenses Required.

A. Every owner of a dog more than five months of age on January 1st of any year or five months of age within the license year shall annually, or within thirty days from the date such dog becomes five months of age, at the time or in the manner provided by law for the payment of property taxes, pay a dog license tax and obtain a license therefore. No such license shall be issued without proof of compliance with Section 8 of this ordinance.

B. The Village Clerk shall charge a late fee in addition to the regular fees as permitted by Wisconsin Statutes, Section 174.05 (5).

C. The Village Clerk shall provide copies of all licenses issued to the Dorchester Police Department,

to assist the Police Department in the enforcement of this ordinance.

Section 8 - Rabies Vaccination.

A. Section 95.21 of the Wisconsin Statutes is adopted by reference, including any subsequent amendments or modifications.

B. The owner of a dog shall have the dog vaccinated against rabies by a veterinarian within thirty (30) days after the dog reaches four months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into this state after the dog has reached four months of age, the owner shall have the dog vaccinated against rabies within thirty (30) days after the dog is obtained or brought into the state unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state. The owner of a dog shall have the dog revaccinated against rabies by a veterinarian before the date that the immunization expires as stated on the certificate of vaccination or if no date is specified, within three years after the previous vaccination.

Section 9 - Running at Large Unlawful.

A. It is unlawful for any person owning or possessing any dog to permit the same to run at large.

B. For the purposes of this section “running at large” means the presence of a dog at any place except upon the premises of the owner. A dog shall not be considered to be running at large if it is on a leash and 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 to permit such dog 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 dog 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 - 11 Kennels.

A. The term “kennel” means any establishment wherein or whereon dogs are kept for the purpose of boarding, breeding, sale or sporting purposes.

B. Any person who keeps or operates a kennel may in lieu of the license tax for each dog required by this ordinance apply to the Village Clerk for a kennel license for the keeping or operating of such kennel.

