Ordinance No: 07-04

Dog Licensing Regulation

STATE OF WISCONSIN
Town of Morrison Brown County

SECTION 1 – TITLE/PURPOSE

The title of this ordinance is the Town of Morrison **Dog Licensing Regulation**. The purpose of this Ordinance is to regulate, by tag and penalty, the care, treatment and control of dogs in the Town of Morrison.

SECTION 2 - License required

Every person residing in the Town who owns a dog, which is more than five months of age on January 1 of any year, shall annually, at the time and in the manner prescribed by law for the payment of personal property taxes, obtain a license therefore.

SECTION 3 - Fee

Such owner shall pay to the Town-Treasurer a fee as set fee 2007 Fee Schedule.

SECTION 4 - Issuance of license

Upon payment to the Town-Treasurer of the required fee, the Treasurer shall issue to such person a license to keep such dog for one year, and such person shall, upon procuring the license, place upon the dog a collar with a tag furnished to him or her by the Town Treasurer or the County Clerk.

SECTION 5 - State regulations

Chapter 174 of the Wisconsin statutes shall apply so far as applicable.

SECTION 6 - Dogs not to run at large

No owner or person in control or having custody of a dog shall allow the same to run at large within the Town unless accompanied by and under control of the owner or keeper.

SECTION 7 - Harboring certain dogs prohibited.

No person shall own, harbor or keep any dog which:

A. Habitually pursues any vehicle upon any public street, alley or highway.

B. Assaults or attacks any person.

C. Is vicious. A showing that a dog has bitten, attacked or injured any person and or signs of showing teeth, shall constitute, that such dog is vicious.

D. Habitually barks or howls to the annoyance of any two or more neighboring households.

E. Is required to be licensed, but is not.

SECTION 8 - Certificate of vaccinations required

No license shall be issued hereunder for any dog unless the applicant exhibits a certificate of a qualified veterinarian showing that the dog has been vaccinated for rabies and distemper within the two years prior to application.

SECTION 9 - Dog pound

A. Confinement of dogs. The Town Constable or any other officer appointed by the Town Board shall apprehend any dog running at large within the Town or which does any of the things prohibited under SECTION-6 and confine the same in a suitable dog pound.

B. Enforcement. The Brown County officers or Town Constable or his or her qualified assistants shall be responsible for the apprehension and confinement of dogs in a pound as herein provided, and such police officer shall apprehend and confine dogs as provided in this section and may enforce this section, including the right to commence actions for the collection of any forfeiture imposed by this article. Such action shall be brought in the name of the Town. Such officer shall be paid such compensation, as the Town Board shall determine by resolution.

C. Disposition of unclaimed dogs. The keeper of the pound shall keep all dogs apprehended for seven days at the dog pound (unless sooner claimed by the owner or keeper), and if any dog is not reclaimed by the rightful owner within such time, the dog may be sold for the amount incurred in apprehending, keeping and caring of the dog or it may be destroyed in a proper and humane manner.

D. Owner or keeper to pay costs. The owner or keeper of any dog so confined may reclaim such a dog at any time before the same is disposed of, upon payment of all costs and charges incurred in apprehending, keeping and caring of the dog. Such costs and charges shall be as set forth in 2007 Fee schedule, and may include expenses for vaccinations or other medical treatment of the dog. The owner or keeper's payment of costs and charges incurred in apprehending, keeping and caring of the dog shall be made directly to the Town Treasurer's office

E. Owner or keeper to post bail. The owner or keeper of any dog so confined shall, in addition to any costs required to be paid under Subsection D hereof, post bail in the amounts set forth in the 2007 Fee Schedule, prior to reclaiming such dog.

SECTION 10 - Limit on number of dogs

No person, except a kennel licensee, shall own, harbor or keep more than **four** dogs that are more than five months of age except in a place or places where the Town impounds animals. If a total of more than four dogs are owned, harbored or kept in or by any one household, the head of the household shall be deemed the person so owning, harboring or keeping such dogs, notwithstanding that the dog license or licenses may be issued to other members of the household as owners of such animals.

SECTION 11- Violations and penalties

Any person who shall violate any provision of this article or who shall fail to obtain a license or permit as required hereunder shall, unless otherwise indicated, be subject to a penalty as provided in the 2007 Bond Schedule.

ARTICLE II Vicious

SECTION 12 - Definitions

As used in this article, the following terms shall have the meanings indicated:

VICIOUS DOG

A. Any dog with a propensity, tendency or disposition to attack, cause injury or otherwise endanger the safety of human beings or other domestic animals as evidenced by its habitual or repeated chasing or snapping or barking and/or snarling in a threatening manner.
B. Any dog which attacks a human being or another domestic animal without provocation.
C. Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.
D. Any vicious dog and/or any of the following: Pit Bulls, Pit Bull mixes, Wolf or Wolf hybrids

SECTION 13- Leash and muzzle

No person owning, harboring or having the care of a vicious dog may suffer or permit such dog to go outside its kennel or pen unless the dog is securely leashed with a leash no longer than four 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. The dog may not be leashed to inanimate objects such as trees, posts and

buildings. A muzzling device sufficient to prevent the dog from biting persons or other animals shall muzzle a vicious dog on a leash outside the dog's kennel.

SECTION 14 - 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 provided in SECTION-12. The pen, kennel or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a vicious dog shall be locked with a key or combination lock when the dog is within the structure. The structure shall have a secure bottom or floor attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house vicious dogs shall comply with all zoning and building regulations of the Town. All structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

SECTION 15 - Confinement indoors

No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit the building on its volition. No vicious dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacles preventing the dog from exiting the structure.

SECTION 16 - Prohibited in multiple Family dwellings

No vicious dog may be kept within any portion of any multiple Family dwelling building.

SECTION 17 - Signs

All owners, keepers or harborers of vicious dogs shall, within 15 days of the effective date of this section, display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." A similar sign is required to be posted on the kennel or pen of the dog.

SECTION 18 - Insurance

All owners, keepers or harborers of vicious dogs shall, within 30 days of the effective date of this article, provide proof to the Town Board of public liability insurance in a single incident amount of $50,000 for bodily injury to or death of any person or for the damage to property owned by any person which may result from the ownership, keeping or maintenance of vicious dogs. The insurance policy shall provide that no cancellation of the policy will be made unless a ten-day written notice is first given to the Town Board. The owner or custodian of the dog shall produce evidence of the required insurance upon request of a law enforcement officer, or a member of the Town Board. This section does not apply to dogs kept by law enforcement agencies.

SECTION 19 - Vicious dog determination

The Town Constable or Dog Officer shall investigate every dog complaint and make a determination as to whether or not such dog is "vicious," as defined in SECTION-12. In the event that the Town Constable makes a determination that a dog is vicious, he or she shall so inform the owner, keeper or harborer of such dog and provide such person with a copy of this section.

SECTION 20 - Appeal of vicious dog determination

Any person aggrieved by the determination of the Constable, as provided in SECTION-19, may appeal such determination directly to the Town Board.

SECTION 21 - Compliance

Within 10 days of the determination that a dog is vicious, as provided in SECTION-18, or 10 days after an unsuccessful appeal under SECTION-19, the owner of a vicious dog shall either comply with all provisions of this article or dispose of such dog.

SECTION 22 - Disposition of vicious dogs

A) Any vicious dog which attacks a human being or domestic animal may be ordered destroyed by the Town Constable or Brown County officer when, in the judgment of a court of competent jurisdiction, the dog represents a continuing threat of serious harm to human beings or domestic animals.
B) Any vicious dog that has knowingly bitten any person shall immediately report such fact to the Town Constable or Dog Officer and shall keep such dog confined for not less than 14 days or for such a period of time as the Town Constable or Dog Officer shall direct. The owner or keeper of any such dog shall surrender the dog to the Town Constable or a licensed veterinarian upon command for examination.

SECTION 23 - Violations and penalties

Any person who violates any provision of this article shall, upon conviction, be subject to the payment of a forfeiture, as provided in the 2007 Bond Schedule. A separate offense shall be deemed committed on each day on which a violation of this section occurs or continues.

SECTION 24- Severability

a. The sections, paragraphs, sentences, clauses, articles and phrases of this ordinance are severable; if any provision is found to be unconstitutional, invalid

or unenforceable, such find shall not affect the remaining portions of this ordinance.

SECTION 25 – EFFECTIVE DATE

This Ordinance is effective on publication. The town clerk shall properly post/publish this ordinance as required under s. 60.80, Wis. stats.

Adopted by the Town of Morrison, town board, this 13th day of November, 2007

Todd Christensen, Town Chairman

Attest: Colleen Magley, Clerk

Posted: 11/28/2007