

**TOWN OF DALE
ORDINANCE 2:02**

REGULATION AND LICENSING OF DOGS AND OTHER ANIMALS

Whereas, the Town Board of Supervisors of the Town of Dale, Outagamie County, Wisconsin ordains as follows: That Section 2:02 of the Town of Dale Ordinances is hereby replaced and recreated as follows:

SECTION 1: PURPOSE

The purpose of this Ordinance is to regulate animal control within the Town of Dale, Outagamie County, Wisconsin.

SECTION 2: DEFINITIONS

In this section, unless the context or subject matter otherwise requires:

“Owner” shall mean any person owning, harboring or keeping a dog and the occupant of any premises on which a dog remains or to which it customarily returns daily for a period of 10 days is presumed to be harboring or keeping the dog /*cat* within the meaning of this section.

“At large” means to be off the premises of the owner and not under the control of some person either by leash or otherwise, but a dog within an automobile of its owner or in an automobile of any other person with the consent of the dog’s owner shall be deemed to be upon the owner’s premises No person shall allow his or her dog or dogs to run at large in the Town of Dale beyond the property owned or leased by that person unless the dog is accompanied by and is under the control of the owner or another person.

“Officer” A designated officer appointed by the Town Board of the Town of Dale to enforce this Ordinance. This shall include the Town Chairman, Town Constable and any member of the Outagamie County Sheriff’s Department.

SECTION 3: RESTRICTIONS ON KEEPING DOGS AND OTHER ANIMALS

It shall be unlawful for any persons within the Town of Dale to own, harbor or keep any dog or animal which:

- A. Habitually pursues any vehicle upon any public street, alley, or highway in the Town.
- B. Assaults or attacks any person.
- C. Is at large within the limits of the Town.
- D. Habitually barks or howls to the annoyance of any person or persons.
- E. Kills, wounds or worries any domestic animal
- F. 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.
- G. Bites person/persons in the town of Dale.
- H. Remains unlicensed after waning from the Town of Dale.
- I. Causes damage to public or private property.

J. Violates any provisions of Chapter 174 of the Wisconsin Statutes

SECTION 4: SURRENDERING OF DOGS/CATS

Dogs/Cats will be surrendered by the owner or by any other person in the Town of Dale upon demand of the Constable of the Town of Dale.

SECTION 5: CONFINEMENT OF DOGS OR CATS IN BITE OR SCRATCH INCIDENT

- A. If any dog or cat for which the owner holds a current rabies certificate is involved in a bite or scratch incident the owner shall quarantine and confine the animal under the supervision of a licensed veterinarian for at least 10 days from the date of the incident. The animal shall not be allowed to come in contact with other animals or people during the period of confinement. Supervision of a veterinarian includes, at minimum, examination of the animal on the first day, on the 10th day and on one intervening day.
- B. Any dog or cat involved in a bite or scratch incident that has not been rabies vaccinated or has not been revaccinated within the prescribed times must be confined at a veterinary hospital, a licensed animal shelter, or a place designated by the Outagamie County Health Department.
- C. The owner of any dog or cat involved in a bite or scratch incident is responsible for any expenses incurred.

SECTION 6 : IMPOUNDMENT AND DISPOSITION OF DOGS AND CATS

Dogs and cats that are apprehended and confined shall be impounded at a facility approved by the Town Board. If the dog or cat has been confined by the Town Constable, there can be a charge of \$25.00 per day for confinement up to 3 days. After that time period or before, if the dog or cat has not been released to the owner it will be transported to Fox Valley Humane Association where the owner can reclaim their pet and pay any/all costs associated with reclaiming.

SECTION 7: LOOSE ANIMALS

The provision of Section 6, including costs, shall be applicable to any stray or loose animal apprehended and confined by the Town of Dale.

SECTION 8: LICENSING OF DOGS

It shall be unlawful for any person in the Town of Dale to own, harbor, or keep any dog more than five months of age without complying with Chapter 174 of the Wisconsin Statutes. Dog licensing shall be completed between January 1 and March 31st of each year. Owners shall purchase license at the fee set forth in the Town of Dale Fee Schedule. Owners will be charged a late penalty as set forth in the Town of Dale Fines and Forfeiture's Schedule if they fail to purchase a license prior to April 1 or within 30 days of acquiring a licensable (five months or older) dog. A valid rabies certificate from a licensed veterinarian and proof of spay or neuter will be required at the time the license is purchased. The dog tag issued must be attached to a collar, and a collar tag attached shall be kept on the dog for which the license is issued at all times as set forth in Wisconsin's Statutes # 174.07(1)(e).

SECTION 9: ANIMAL ABUSE

It shall be unlawful for any person to beat, cruelly ill-treat, torment or otherwise abuse an animal.

SECTION 10: ADEQUATE CARE REQUIRED

It shall be unlawful for any owner or caretaker of an animal to fail to provide it with adequate food, adequate water and adequate heating, cooling, ventilation, sanitation, shelter and medical care consistent with the normal requirements of an animal's size species and breed.

SECTION 11: LIMITATION ON NUMBER OF DOGS

It shall be unlawful to keep more than three (3) dogs in any household within the Town of Dale unless a multiple dog license or zoning variance has been approved and issued by the Town of Dale and Outagamie County. Provisions of this ordinance shall be grandfathered for those residences in violation at the time of the implementation of this ordinance.

SECTION 12: WILD ANIMALS – PROVISION OF KEEPING

It shall be unlawful to keep, maintain or have in his possession or under his control within the town, any poisonous reptile or any other dangerous or carnivorous wild animal, insect or reptile, any vicious or dangerous domesticated animal or any other animal or reptile with wild, vicious or dangerous propensities. Specifically it shall be unlawful for any person to keep, maintain, or have in his possession or under his control within the town, any of the following animals, reptiles or insects:

1. All poisonous animals and reptiles.

SECTION 13: PENALTY

Any person who shall violate any provisions of the Ordinance shall upon conviction thereof, forfeit of not less than Ten dollars (\$10.00), no more than One Hundred dollars (\$100.00) together with the costs of prosecution. A subsequent conviction will result in a forfeiture of not less than Fifty dollars (\$50.00), no more than Two Hundred dollars (\$200.00) together with costs of prosecution. Default of such forfeiture and costs of prosecution shall result in placement in the county jail until such forfeiture and costs are paid and not exceeding Thirty (30) days.

SECTION 14: SEVERALABILITY

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity of unconstitutionality shall not affect the provisions or applications of the Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 15: EFFECTIVE DATE

This Ordinance shall be effective upon passage and publication as provided by law.

Adopted this ____ day of _____, 2019

TOWN OF DALE

By: _____
Mr. Doug Wunderlich, Chairman

By: _____
Ms. Jenny DeZeeuw, Clerk

Number Voted For: _____

Number Voted Against: _____

This Ordinance drafted by:
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