

TOWN OF MENOMONIE
ORDINANCE RELATING TO DOG CONTROL

ORDINANCE

WHEREAS, the Town of Menomonie Town Board has been granted village powers by the electors at a duly noticed annual town meeting, in accordance with Wisconsin Statutes Section 60.10 (2) (c), and has the power granted to villages in accordance with Wisconsin Statutes Section 60.22 (3).

WHEREAS, it is in the public interest and welfare to regulate dog control in the Town of Menomonie as provided herein.

NOW, THEREFORE, the Town Board of Supervisors of the Town of Menomonie, Dunn County, Wisconsin, does ordain as follows:

SECTION 1 STATUTORY AUTHORITY:

Pursuant to Wisconsin Statutes Section 60.22 (3) the Town Board of Supervisors of the Town of Menomonie, Dunn County, Wisconsin, hereby adopts the provisions of Chapter 174 of the Wisconsin Statutes for the control of dogs in the Town of Menomonie, Dunn County, Wisconsin, as described herein.

SECTION 2 PURPOSE:

The purpose of this ordinance is to regulate dog control within the Town of Menomonie, Dunn County, Wisconsin.

SECTION 3 DEFINITIONS:

In this ordinance, unless the context or subject matter requires otherwise, the following definitions shall be applicable:

- a. "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 the dog customarily returns daily for a period of ten (10) days, is presumed to be harboring or keeping the dog within the meaning of this section.
- b. "At large" shall mean to be off the premises of the owner and not under the control of some person either by leash or physical means of restraining a dog, but a dog within an automobile of its owner or in an automobile of any person with the consent of the dog's owner shall be deemed to be upon the owner's premises. Exception: If the dog or dogs are under the supervision of a person or persons that are in a hunting area.
- c. Dangerous Dogs – Vicious Dogs

Any dog with a propensity, tendency of disposition to attack, cause injury to or otherwise endanger the safety of human beings or other domestic animal as evidenced by its habitual or repeated chasing of snapping. or barking at or snarling in a threatening manner.

Any dog which attacks a human being or another domestic animal without provocation.

No dog that has been ordered to remove from another municipality for being vicious shall be housed – kept in the Town of Menomonie.

- d. "Officer" shall mean a designated officer appointed by the Town Board of the Town of Menomonie to enforce this ordinance. This shall include the Town Chairman, Supervisors, Treasurer and any member of the Dunn County Sheriff's Department.

SECTION 4 GENERAL LICENSING OF DOGS:

It shall be unlawful for any person in the Town of Menomonie to own, harbor, or keep any dog more than five (5) months of age without complying with Chapter 174 of the Wisconsin Statutes. This includes the requirement to obtain a dog license annually for each dog 5 months of age or more on January 1st, or within thirty (30) days after the dog obtains 5 months of age during the year. Dogs must be immunized against rabies to obtain a license. The dog tag issued must be attached to a collar, and a collar with the tag attached shall be kept on the dog for which the license is issued at all times as set forth in Wisconsin Statute 174.07 (e).

SECTION 5 RESTRICTIONS ON KEEPING OF DOGS:

It shall be unlawful for any person within the Town of Menomonie to own, harbor, or keep any dog which:

- a. Is at large within the Town of Menomonie.
- b. Habitually pursues any vehicle upon any public roadway in the Town of Menomonie.
- c. Assaults or attacks any person off the premises of the owner.
- d. Habitually barks or howls to reasonable annoyance of any person.
- e. Kills, wounds, or worries any domestic animal which includes livestock, dogs, and cats, horse, bovine, sheep, goat, pig, elk or other deer raised in captivity, llama, alpaca, domestic rabbit, farm-raised deer, or domestic fowl, including game fowl raised in captivity, nests or eggs of game birds.
- f. Is over five (5) months of age, and has not been issued a valid license and/or does not have the license attached to the dog as required by Chapter 174.07(e) of Wisconsin Statutes.

- g. Is known by the owner to be infected with rabies, or has been bitten by an animal known to have been infected with rabies, and such owner fails to quarantine the dog as required by Wisconsin Statute Section 95.21.
- h. Defecates on the property other than that of the owner, and the owner does not remove said defecation immediately.
- i. Harbors or keeps a dangerous dog – vicious dog (Section 3. c.)
- j. Violates any other provision of Chapter 174 of Wisconsin Statutes.

SECTION 6 ENFORCEMENT OF RABIES CONTROL PROGRAM:

Wisconsin Statutes Section 95.21 is hereby incorporated by reference and made a part of this ordinance. Any provisions of this ordinance shall be read in conjunction with Wisconsin Statutes Section 95.21, however it is the intent to make this ordinance more restrictive pursuant to Wisconsin Statute Section 95.21 (9).

SECTION 7 NUMBER OF DOGS:

It shall be unlawful for any person to keep more than three (3) domestic dogs over five months of age in any household within the Town of Menomonie, unless the Town has issued a kennel permit.

SECTION 8 KENNEL PERMITS:

The Town Board of the Town of Menomonie has the discretion to approve or disapprove with reason a kennel permit.

SECTION 9 PENALTY:

Any person, firm, or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit as follows:

- a. If the dog injures or causes injury to a person, or any domestic animal which includes livestock, dogs and cats, horse, bovine, sheep, goat, pig, elk or other deer raised in captivity, llama, alpaca, domestic rabbit, farm-raised deer, or domestic fowl, including game fowl raised in captivity, nests or eggs of game birds, a fine of not less than \$50.00, nor more than \$500.00, if the owner did not have notice that the dog had previously caused injury.
- b. If the owner did have notice or knew that the dog previously caused injury to a person, or any domestic animal which includes livestock, dogs and cats, horse, bovine, sheep, goat, pig, elk or other deer raised in captivity, llama, alpaca, domestic rabbit, farm-raised deer, or domestic fowl, including game fowl raised in captivity, nests or eggs of game birds, a fine of not less than \$50.00, nor more than \$1,000.00.
- c. For a dog running at large, a fine of not less than \$50.00 nor more than \$100.00 for the first offense, and not less than \$100.00, nor more than \$200.00 for subsequent offenses.

- d. If any owner fails to have a dog vaccinated against rabies as required by Wisconsin Statutes 95.21 shall forfeit not less than \$50.00, nor more than \$100.00.
- e. An owner who refused to comply with an order concerning quarantine shall be fined not less than \$50.00, nor more than \$1,000.00.
- f. For all other violations of this ordinance, a fine of not less than \$50.00, nor more than \$200.00.
- g. In all cases above, there shall be in addition to the fines set out and the cost of Prosecution. Each violation and each day a violation occurs or continues shall constitute a separate offense.

SECTION 10 EFFECTIVE DATE:

This ordinance shall become effective the day after publication as provided by law.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Menomonie, on the 12th day of December 2013.

Chairman _____(s)
Frank Bammert

1st Supervisor _____(S)
Ed Hartung

2nd Supervisor _____(S) Clerk _____(S)
Neil Koch Leslie Hulbert

Filed this 12th day of December, 2013 in the office of the Town Menomonie